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THE

PARLIAMENTARY DEBATES,

New Series,

VOL. XV.

THE

PARLIAMENTARY DEBATES:

FORMING A CONTINUATION OF THE WORK ENTITLED
" THE PARLIAMENTARY HISTORY OF ENGLAND,
FROM THE EARLIEST PERIOD TO THE YEAR 1803."

PUBLISHED UNDER THE SUPERINTENDENCE OF
T. C. HANSARD.

New Series;

COMMENCING WITH THE ACCESSION OF GEORGE IV.

VOL. XV.

COMPRISING THE PERIOD
FROM
THE TWENTIETH DAY OF MARCH,
TO
THE THIRTY-FIRST DAY OF MAY, 1826.

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1827.

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THE

Parliamentary Debates

During the Seventh Session of the Seventh Parliament of the United Kingdom of Great Britain and Ireland, appointed to meet at Westminster, the Second Day of February 1826, in the Seventh Year of the Reign of His Majesty King GEORGE the Fourth.

HOUSE OF COMMONS.

Monday, March 20, 1826.

JURIES IN INDIA BILL.] Mr. Wynn moved the second reading of the Juries in India Bill.

Mr. *Hume* expressed his satisfaction at the introduction of the bill. He hoped, however, that the discretionary power of the judges, in directing who were to be summoned on juries, would extend to the nomination upon juries of persons of half-caste, and of natives. In Ceylon, this practice had been introduced by sir Alexander Johnston, three years ago, and had been followed up since by the judges with the happiest effect. The natives who were summoned upon those juries were found to be as good as any other jurors. Besides, it served to raise them in their own opinion, by thus making them share in the rights and privileges of other British subjects. If a similar provision was introduced into the present bill, it would give the greatest satisfaction to the people of India.

Mr. *Wynn* said, that the permission to serve upon juries was granted by the bill to all persons who were not disqualified by some legal offence from serving upon them. Ceylon did not fall within the superintendence of his office. He had understood, however, that the natives there had been permitted to serve on juries, and that the practice had been attended with the best effects. In some instances, where the natives in India had been called upon to attend on coroners' inquests, they had evinced great intelligence and sharpness; and it had, he understood, had the effect adverted to by the hon. member, of raising them in their own estimation.

Mr. *Hume* hoped that the operation of the bill would extend, not merely to the three presidencies, which would make it a benefit to three or four hundred thousand persons; but to the whole of British India, which would render it a blessing to sixty or seventy millions.

The bill was read a second time.

EDUCATION IN IRELAND.] Mr. Goulburn moved the order of the day, for the House going into a committee of supply on the Irish Estimates. On the motion, that the Speaker do leave the chair,

Mr. *Spring Rice* rose, in consequence of the notice he had given, for the purpose of moving a resolution, affirming the general principles upon which alone he conceived any national system of Education in Ireland was practicable, or could be effectual. He could assure the House, that he did not take this step with any hostile feeling towards the Irish government, as he was ready to admit, that many very useful and practical measures had been introduced during the present session, which deserved all possible praise. Still less was it his object to add to the jealousies and distrust which, on this question, necessarily existed in Ireland. Most anxious to obtain the acquiescence of the House in his resolution, he would endeavour to exclude from his argument all that was not indispensably necessary for his purpose, and all topics of an irritating nature. Hence he would not at present dwell upon the odious Charter-school principle, nor the atrocious cruelties which it had created and tolerated. This, in fact, he considered to be disposed of by the vote of the House in the last year. Neither would he dwell upon the cruel and unjust laws against education passed in the reigns of William and Anne. He would come to more modern times, because in those times he obtained sufficient evidence to justify his motion. He therefore would, in the first place, refer to the proceedings of 1806. In that year an inquiry into the state of education in Ireland was conducted under the authority of a royal commission, and fourteen reports were presented to the House, all of which were entitled to respect; but the last of which, the fourteenth, he considered the most important and valuable document ever prepared upon this subject, though as yet it had unfortunately led to no practical results whatever. It was true, that an act was passed in 1818, establishing a board of education; but, with what effect that body acted could best be estimated by a reference to their annual reports and to the late statement respecting the Middleton school. So the matter rested till 1824, when his right hon. friend (sir J. Newport) submitted a motion for the appointment of a committee on the subject. He regretted very much the way in which that motion had been met, and the substitution of the present commission. He originally thought, and was now from experience convinced, that the committee would have been the safest, the most authoritative, and the most efficient instrument, that could have been employed. That committee would probably have looked less to the past than to the future, and would have bounded its inquiries to the practical question of what system would deserve the support of parliament. The government had, however, preferred the appointment of commissioners, and his right hon. friend had abandoned his original views for the sake of insuring unanimity. The report of their commissioners was now before the public and the House, and yet the estimates, which were proposed to be voted that night, in place of adopting any one principle laid down in that report, was in direct opposition to the recommendations of the commissioners. The estimates threw the report and the commissioners overboard; and, if adopted in their present form, rendered the whole inquiry a farce and a delusion. Practically, indeed, the inquiry was worse than a farce, if it did not lead to practical results, as it only created hope and produced agitation, which the votes of the night were ill calculated to satisfy or to allay. It was those votes which actually forced on the discussion, and which made it his duty to submit the present motion; and he called upon the chairman of that commission (Mr. Frankland Lewis) either to defend those votes, if justifiable, by his report, or to oppose them if they were not so to be justified. The first vote which they were called upon to make was one to the Association for Discountenancing Vice. This was a charitable society reported upon by the commissioners; it had already received grants of public money to the extent of 77,975*l.* and it was proposed this year to add nearly 2,000*l.* to the former vote. He asked the hon. member whether this was in accordance with the report or in opposition to it? But, independently of the report, he objected to the grant. The schools which he felt it to be the duty of parliament to encourage were schools for all; whilst the schools of this society were of a character exclusive and objectionable. They contained 9578 Protestants, and only 6844 Catholics; the masters must necessarily be of the established church; the whole control was vested in the minister of the parish; they were, in fact, a substitution for the schools, which the incumbents ought, under a better system, themselves to provide; and the central institution was managed in some particulars so carelessly, that the bounty of government was absorbed in uselesss and extravagant profits. Would the House believe that, out of the annual vote of 7,000*l.* 1,900*l.* had been expended in the profits of a favoured bookseller? Was it for this that the public money should be given? Another most improper use of the public money made by this society was the expenditure of 2,500*l.* in catechetical premiums. Was the House to be told that the interests of the Irish church required so absurd and ridiculous an assistance from the public? If requisite to make these grants, had not the church sufficient wealth or zeal to supply them? The report stated, that these schools were "too few in number, and too Protestant in character, to become generally available for the education of the Roman Catholic children;" and their observations concluded with the following important words: "The respectable schools under the care of the Association can hardly be expected to inspire the

Roman Catholics or Presbyterians with confidence, being under the immediate superintendence of the clergy of the established church, the doctrines of which have been always consistently and avowedly taught to all who would consent to hear them. The education of children of other persuasions is so entirely accidental and secondary that Dissenters and Catholics view this class of schools with some degree of distrust."—On all these grounds he resisted the vote as improper, and as being inconsistent with general principles —as contrary to the principles of the report he also resisted it. The next, and a still more important question arose respecting the grant to the society for the Education of the Poor, commonly called the Kildare-street Society. It must be admitted that the formation of this society was the first approach made towards sound principles, and a system of education generally available. But it was objectionable, nevertheless, on many grounds. So far from being approved of by the report, its ultimate extinction was contemplated; and it was proposed that the existing schools of this society should be eventually absorbed in others of a more comprehensive and liberal character. Yet, we were now called upon, not only to continue former grants, but to extend a notoriously defective system. The society had already received above 110,000*l.* of public money, and the former grant of 22,000*l.* it was now proposed to augment to 30,000*l.* Was this according to the recommendation of the report? Was it not, on the contrary, in direct opposition to it? But other grounds of objection arose. The society suggested that it adopted the principle of the fourteenth report. It did no such thing. The fourteenth report only suggested the reading of such extracts of the Scriptures as should not give offence to either party. The Kildare-street Society forced the reading of the testament as a sine qua non in its schools. The society had claimed credit for 100,000 scholars. Upon the official returns no more than 52,000 appeared to have been in attendance. If such a correction between the statement and the ascertained fact occurred to any other department, would the House continue former grants: still less would it augment them? The society stated, that its schools were equally available to Protestants and Catholics. In that case, the scholars might be expected to be in proportion to the population, five to one: but no such thing was the fact: out of 52,000 scholars but 26,000 were Catholics. The society stated, that "its system is that which is best suited to the Irish people" The report diametrically contradicted this opinion, by suggesting another system—a more liberal one.—With these facts before the House, how was it possible for the government to be so ill-advised as to propose those grants, and would it ble possible for parliament to acquiesce in them, as proposed?—But, before he quitted this subject, it was necessary for him to explain the points in which he felt the Kildare-street Society to be defective; and, before he entered into the argument, he would advert to a few general principles. He denied that these education votes were votes of charity or benevolence. He held that it was the civil duty of the state to provide the means of instruction for all classess of its subjects, not so much for their sakes as for its own. If this was admitted, it was injudicious indeed to clog the performance of this duty with any condition that might impede or counteract its application. But, if these conditions were unjust, the act became as wicked as it was ever impolitic. Now, he considered any condition, interfering with the conscientious religious principles of the people to be of this character. A compulsory Scripture-reading, inconsistent with the discipline of the Catholic church, was the condition imposed by this education society. As such it was unjust, and it counteracted its own object. He begged here not to be misunderstood: he professed himself, as a Protestant, as sincere a friend to Scripture-reading as any of the patrons of these schools, or as any of the reverend associators who headed their circulars with the misapplied inscription of "In nomine Dei cui sit honos." But he had not on that account the least right to force his principles upon others, and it was in these respects he considered the societies to have erred. It was indecent and unworthy of the sacred question at issue to hold the public purse in one hand, and the Bible in the other, and to refuse to give public aid to any who did not sacrifice their notions of right and wrong. It created a prejudice against the Holy Scriptures themselves, and introduced jealousy and hatred on a subject which ought only to lead to forbearance, love, and charity. But a great clamour had been excited against the Catholic priests, for opposing these Bible schools, as they were called. He could prove that on high ecclesiastical authority in our own church they were right in doing so. He referred to the evidence of the archbishop of Dublin, not to be undervalued by the hon. gentlemen opposite. The following were extracts from that prelate's examination in the committee of 1825:—

"I understand that the Catholics have withdrawn children sometimes from the schools.—Has not the objection generally been, that by the introduction of the Scriptures into those schools, the Catholicity of the children might have been endangered? Certainly.—Does not your grace conceive that the individuals of any church are not only authorised, but bound to object to any system which strikes at the root of their religion? Certainly.—Does not your grace think the exclusion of private judgment is to the full as much an article of the Roman Catholic faith as transubstantiation? I do.—Does your grace consider it possible that the Scriptures, without note and comment, can be received by individuals in schools, without admitting the right of private judgment? I think it certainly implies that.—Do you not conceive that the distribution of the Scriptures has a tendency in Ireland to increase the number of Protestants? Certainly.—Do you conceive that it has had that operation? I rather think it must have had that operation.—Conceding the sincerity of the Roman Catholic Ecclesiastics in their belief in the doctrines of their church, does not your grace conceive they are bound in duty to oppose any system that tends to undermine their church? Undoubtedly."

The Catholics, therefore, had done no more than what one of the most orthodox of our church had stated to be their duty. But let not gentlemen on this account argue that the Roman Catholic clergy were adverse to the reading of the Scriptures by adults. He believed that great efforts at conciliation were made even respecting schools; and he believed also that more had been done for the circulation and reading of the Scriptures amongst adults by the Catholic Church, out of its poverty, than by the Establishment, out of its wealth. To prove these two propositions, he would refer to the following statement in the Report on the table, and to the evidence of Dr. Doyle:—

"Dr. Murray proposed that the Holy Scriptures should be read only when the Roman Catholic children were taken apart for the purpose of receiving religious instruction, and he said there could be no possible objection then to reading the gospels of the week; no objection to a harmony of the gospel being used in the general education the children should receive in common."

"Dr. Doyle.—Our objection applies to the authorised version. That we have no aversion to the reading of the Bible by the laity, is best proved by the many editions of the Book, under our express sanction, and to which is prefixed the Rescript of Pius VI. to Martini, in order to show that we, and the Head of our Church with us, exhort the faithful to read the Word of God. In addition to three editions by Coyne, one by Cross, and two by O'Reilly, we have procured a stereotype edition, of low price, to circulate among all. There is nothing said of us, more opposed to truth, than that we are averse to the circulation of the Word of God."

What were the opinions of the commissioners? They state that "None of the existing establishments, whilst they continue to act upon their present rules, can provide such a system of education as shall be cordially adopted and generally supported."

In another part they add, "The object of general education has not hitherto been accomplished by any one of the institutions which have been supported at the public expense in Ireland. We are of opinion, that any society consisting of a large and fluctuating body of subscribers, who are bound by no other rules than those they impose upon themselves, cannot permanently be the most proper instrument for controlling and directing a system of general education, maintained principally by the public money, in a country which, unfortunately, abounds in distrust and jealousy, on account of religious opinions."

If he was right in his foregoing statements and principles, we were now, under colour of supporting education generally, supporting that education only to which the Catholics entertain a religious objection, and which the commissioners' report admits to be a well-founded objection; for they observe that "From our examinations and general communications with all orders of the Roman Catholic clergy, we collect that the use of the Testament, without note or comment as a school-book, or the reading of it by children, save under the direction of their pastors, or persons approved of by them, is considered contrary to the discipline of the Roman Catholic church."

In making these observations, he would by no means suggest a separate system of education for Catholic and Protestant: on the contrary, he deprecated it. An united system, in which both might conscientiously join, was not only the best and safest, but the only good and secure course that could be pursued. In this he was opposed by the zealots on both sides, but truth would ultimately prevail, and the zealots be forgotten. If separated, our establishments might, perhaps, be more essentially Catholic and more essentially Protestant, but he was convinced they would be less christian, and that the common ties and sympathies, without which life was valueless, would be broken in this unnatural estrangement. As his opinion on this subject was opposed to high authority, he would give his opponents the benefit of a witness in their favour, who stated—"If the two religions could manage so as to afford religious instruction separately, it would answer all purposes best; and, amongst other advantages, it would tend very much to charity. To comprehend the children in one scheme of general instruction, is a contrivance above my comprehension. In my own line, I see my way; out of that line, I am unwilling to venture on any experiments."

Now, in reply, he would beg the House to listen to the argument stated on the other side, much more ably than it would be by any words of his, but in every sentiment of which he concurred:—"I am averse to any plan that would give rise to a separate system of education, because I am convinced that nothing would tend so powerfully (with the exception of our own great and important question) to effect a union of all classes, as the early association of children of different religions. It has been said by some persons; where is the use of uniting in childhood with those whom the law separates in after life? But I ask, are we to form institutions for this country in contemplation of those laws being perpetual? are we, as far as in us lies, to support the spirit of those laws, by widening still farther the breach? I should think that the argument lies the other way, and that in proportion as the law divides and separates, we should join, and unite, and prove at least that we are not accessary to the evil policy of the legislature. Perhaps much of the prejudice that now exists may be traced to the want of that early association which this plan contemplates, and which, at a time when the mind is most alive to every impression, would tend to soften down asperities, and do away with the bad feeling which now exists."

Would the House believe it, that the witness who recommended separation as the means of producing charity, was a Protestant prelate; and that the advocate of the more generous and liberal principle, was a young and eloquent orator, Mr. Bellew, who, at the Catholic Association, pronounced the words I have read, and which do him such immortal honour! It had clearly been shown, that to impute to the Catholics an opposition to the light of the Scripture, was inconsistent with the fact. A still more vile and atrocious calumny had been propagated against them, that they were enemies to education. The returns on the table contradicted this detestable falsehood; for such was the anxiety of Catholics for education, that out of 408,065 children of their persuasion educated in Ireland, 377,007 were educated at their own expense, without public aid; whilst, out of 93,429 children of the established church, 26,025 were educated by grants from this House. Of 69,186 children in the schools supported by the public, 31,058 only were Catholics—less than one half: results for which the House and the public were entirely unprepared. The hon. member concluded by moving, by way of amendment, "That this House concurs in the opinion expressed unanimously by the Commissioners of education, appointed in 1826, in their fourteenth Report, signed by the late archbishops of Armagh and Cashel, the bishop of Killala, the provost of Trinity College, now bishop of Ferns, and others, 'that no general plan of education in Ireland, however wisely and unexceptionably contrived in other respects, can be carried into effectual execution, unless it be explicitly avowed, and clearly understood as its leading principle, that no attempt shall be made to influence or disturb the peculiar religious tenets of any sect or description of Christians.'"

Mr. *Goulburn* said, that in the observations which he felt himself called upon to make in answer to the hon. member, he should take care that nothing which fell from him should have a tendency to excite any angry feelings, or disturb the peace of the sister country. He should not, therefore, follow the hon. member through the various topics upon which he had touched in the course of his speech, but would confine himself to that which was, in his view, the main question at issue; namely, had the government done its duty with respect to the proposed mode of establishing schools in Ireland? In order to establish the fact, that government had so done its duty upon this subject, the right hon. gentleman went back to the report of 1806, and from that, through the subsequent ones, in order to show that the system of education was carried on upon the most liberal principles, and without any attempt to interfere with the religious opinions of any sect or class of Christians. The fourteenth report, in particular, recommended that the system of education should be extended to children of all classes of the community indiscriminately; but it recommended that there should be religious as well as literary instruction given to all. The commissioners, by the course they pursued, had prevented the Kildare-street Society from incurring the charge of being actuated by a spirit of proselytism. Taking the recommendations of that report into view, it had appeared to the lord lieutenant to be his duty to give every facility to this object, but, at the same time, not to abandon at once the schools already established; and this course had the express sanction and approbation of the commissioners, who were of opinion, that the grants ought not to be withheld from the existing schools until others had been formed to supersede them. With regard to the appointment of commissioners of education, all must be aware of the difficulty of obtaining individuals who were competent to a duty so peculiar; and the lord lieutenant had applied to him (Mr. Goulburn) to make a selection of persons who were capable of superintending education. If, therefore, he had not named the persons who were actually appointed, and who had shown themselves so fit to discharge their duties, it might indeed have been a matter of complaint that he had chosen those who were incompetent. The commissioners determined to carry the plan recommended in their report into effect, in order to try the experiment whether that plan was or was not best adapted to the education of the people of Ireland. In accomplishing this design, they had been most sedulously occupied, and they, in the first instance, had endeavoured to lay the foundation of the system. If objections were made to the delay that had occurred, he could only reply, that it would have been much greater if the task had been intrusted to less able hands. The question was, how ought education to be conducted in Ireland? The Irish government said, "Give assistance to the schools that exist until better are established;" while the hon. gentleman said, or at least his motion was tantamount to it, "Destroy the schools that exist, and then try the experiment upon a new system." No man could doubt that the course pursued by the Irish government was best calculated to accomplish the object. The right hon. gentleman then noticed cursorily the proceedings on the vote of 22,000*l.* of last year, which had been found insufficient, the further sum required having been advanced to the Kildare-street Society. The resolution for the present year amounted to no more than the actual expenditure of the last, and it was independent of the sum to be required for the new schools. For these, 5,000*l.* were to be voted to the lord lieutenant, to be applied, if he considered the experiment worthy of encouragement and support. Whatever might be the feelings of individuals respecting the Kildare-street Association, and the principles by which it was governed, he could not bring himself to believe that the House would be disposed to adopt an amendment, stigmatizing the conduct of those who were intrusted with the management of that institution, and authorizing an opinion, that, having departed from their original design, measures ought to be taken for the suppression of a system that had conferred important benefits upon Ireland, and had been effective, at least to a certain degree. Avoiding all acrimony of reply, and relying only upon facts within the knowledge of all, he only asked the House to compare the state of education in Ireland, at the present moment, with what it had been formerly. The services which the society had rendered were not to be estimated merely by the numbers it had caused to be instructed, but by the evils it had caused to be avoided. If only 62,000 children had been educated, the example thus set was of the utmost value. He felt fully warranted in saying, that however short the Kildare-street Society might fall of perfection, it was entitled to the thanks of the country for the good it had achieved. In proposing the grant this year he was devoid of all personal feeling on the subject, and did it from a conviction that the society was gaining ground, notwithstanding all the hostility with which it had been opposed. He trusted the House would second the object by acquiescing in the motion; and he was satisfied that it would do so, unless it was prepared to say that the existing system of education ought to be destroyed at once, for the sake of risking an experiment.

Mr. *Frankland Lewis* defended the conduct of the commissioners, as well as of the Kildare-street Society. Mistakes had been made as to the number of children under the superintendance of the Kildare-street Society; because one party had taken the number actually attending the schools, while others had referred to the number upon the roll of the establishment. The Kildare-street Society had made its report founded upon the latter; and he was convinced that no intentional misrepresentation was intended. Whatever might be the result of this question, he hoped the vote would not be withheld from any disparagement of the individual members of the institution. They were men of the highest probity, and of the utmost zeal in carrying the beneficial objects they had in view into execution. The only proper principle, in his conception, upon which they all could vote for this grant was this: "Do not destroy that which is in actual operation, before you have provided another to supply its place." He did not thereupon say that they ought to confine their view to the present system. The only principle upon which he, and those who agreed with him, supported the system, was merely to keep it in operation, but not to extend it; and that was the only one upon which it was necessary to vote at present. The vast importance of spreading education generally over Ireland was unquestionable; and nothing could be of more importance than that the education should be such as to eradicate the seeds of jealousy and dislike to each other, which too generally prevailed in the minds of the Irish Protestant and Catholic children. He cared not what their understandings might be. He had seen enough to convince him that it was necessary to attend to the cultivation of their minds in this respect, before they could dispel those differences, and that want of cordiality which they imbibed at school, and which adhered to them throughout life. If that object could ever be obtained, it must be by promoting union among the Irish Protestants and Catholics on points in which they agreed, and giving them separate instruction in points in which they differed. The circumstances under which the Catholic children were brought into a school, was, that the Scriptures should be read without note or comment. They came there conscious of having deceived their priests, who had forbidden them to go; and induced to attend by the apprehension of injury from another quarter, or the hopes of reward. He did not say that this was general, but he had seen it prevail in many instances, and doubted whether the mischief produced by such a mode of education was not greater than if they had been left uneducated. He admitted that there ought to be no school established without religious instruction. That was a principle which ought never to be lost sight of. But when they saw Protestant versions of the New Testament in the hands of Roman Catholic children, who were told by their priests and their parents that it was dangerous to look at them, as they were subversive of their church, could they call that religious instruction? This was not religious instruction: it had no other effect than that of producing in their minds an impression that the New Testament contained something insidious towards the Roman Catholic religion, and as such they shrunk from it. While he was ready to acknowledge the laudable exertions of the Kildare-street Society, he was perfectly persuaded, that if they abided by the three rules laid down for their guidance, they could not render their labours so beneficial as they might otherwise prove. One of the rules to which he had alluded, enjoined that every schoolmaster should be of the established church, and that the catechism should be taught in the school over which he presided. Now, whether these rules were carried strictly into execution he could not say, but they were clearly incompatible with the principles of the Roman Catholic religion. The children were directed to read the Holy Scriptures, without note or comment; which was also contrary to the principles of that persuasion. So long as this was insisted upon, the system of education would be never cordially acceded to by the Roman Catholics. Dr. Murray, a Roman Catholic bishop, had assured the commissioners, that he would have no objection to the Testament being placed in the hands of such as were capable of understanding it. Was it not then probable that its perusal would operate more beneficially, under this limitation, than when introduced into the hands of children, as it were, by stealth? The system, which he and they who agreed with him recommended as the only one which could be generally efficient, was, to instruct Catholics and Protestants together in those matters in which they all agreed, and separately in the religion which each professed. This was the only plan that offered any chance of producing a beneficial effect, and he should hail it as a great good if he once saw it adopted. In addition to this, the schools ought to be conducted upon the principle of rigidly excluding all books which tended to bring hatred or contempt on the Roman Catholic faith, or the tenets of any sect of Christians. Books of that description could not fail to engender and foster that early hatred and dissention, which it was so desirable to eradicate. He might be allowed to say, that the withdrawing of such books from their schools would be a benefit of the highest description. There were multitudes who wished to keep alive that soreness which was too apt to arise between Protestant and Catholic, and who were desirous that the Catholics should herd together in order to keep it alive. Deprive these persons of such pretexts, as far as it could be done, by the careful exclusion of that class of books, and great good would be the result. Formerly, in the Irish schools, there was no rule or regulation as to books. Every one brought what books he pleased; and it was not surprising that many of them should have been of an improper description. The Kildare-street Society had done great good by withdrawing these books, and substituting proper books of instruction in their place. In this respect, the exertions of that society had been most meritorious. But their system was not calculated to answer the great ends of general education in Ireland. There were two important classes of schools in Ireland, Protestant and Catholic; with good accommodations and few attendants in the one, crowds and misery in the other. But the result of all that he had seen and heard was a conviction in his mind, that if education was to be generally given at all, it must be given in the manner in which those to whom it was offered were willing to receive it. They must look at something beyond the present system; but they must not destroy that system until they found something better to put in its place. He looked to the establishment of an extensive and united system of education in Ireland, in which religious instruction should be carefully and impartially dispensed. Such a system would be of inestimable benefit; but the House never could succeed in effecting that object, if it acceded to the prayer of the petition of the Roman Catholics that they might have grants of money placed at their disposal for promoting the purposes of education in Ireland. Many inconveniences would arise by placing sums at the disposal of these irresponsible bodies. He thought that, under no circumstances, should they place a sum of money at the disposal of Roman Catholics for the education of Roman Catholics. He said it not out of any disrespect to the Roman Catholics. With respect to giving what was called a united education, he did not pretend to offer any opinion; but if the House set its heart on such an object, they would not be long in effecting it. There were persons, he knew, who were very opposed to such a scheme of education. Nay, one of the Catholic orators had expressly declared his hostility to any such plan, observing that it appeared to be the object of the English parliament to bring Protestants and Catholics together in infancy by education, and in old age by the Burial bill; but that during manhood they should be separated from each other. The orator concluded by expressing his determination to separate them in infancy, if they were not to be equalized in the period of manhood. However, he set at nought all such declamation. If a resolution to the same effect had even been promulgated by the Catholic hierarchy, he would set it at nought; for he was persuaded that the good sense of the Catholic body would overrule all such objections, and that they would readily receive the means of education, provided there was no substantial objection against it.

Mr. *Maurice Fitzgerald* said, that there appeared to be no difference in principle as to the mode of bestowing education on the people of Ireland; for the desire of the government was, that instruction should be applied without interference with the religious principles of the scholars: at least, such was the doctrine that night inculcated by an hon. member, who might be considered the organ of the Irish government on that subject. The hon. gentleman objected to committing the education of the Catholic population to a body exclusively Catholic; yet the votes then on the table proposed nothing more nor less than to give it to a body exclusively Protestant. It appeared from the report of the commissioners, that of the Catholic children now receiving instruction in Ireland, 5,000 only were educated at schools supported by parliamentary grants; and that 37,000 were educated gratuitously, without any assistance, direct, or indirect, from these funds; so that education was at present going against the principle maintained by the hon. gentleman, namely, that it should not be committed to the management of a body exclusively Catholic. The only difference then was, that at present the superintendence of the education was in the hands of those over whom no control could be exercised; and that he (Mr. Fitzgerald), and those who thought with him, were anxious that it should be placed under the direction of a responsible board. He was free to admit the fact stated by the hon. gentleman opposite, that books of an improper nature had crept into some of the Irish schools; but this applied only to those pauper seminaries which were ready to catch at whatever books came within their reach. It was therefore not to be wondered at, that certain publications were found scattered through them, forming a strong contrast to those furnished by the Education Society. He begged, notwithstanding what fell from the hon. gentleman opposite, to assure the House, that he knew many schools supplied with the most approved books, in which several hundred children were educated under the direction of their priests. It might, perhaps, be right to substitute another mode of education for that which he had just described; but unless it was such as would conciliate the Catholic population, and secure the co-operation of their priests, it must inevitably fail, and thus defeat the object of those who desired to have the two sects together at that early period, when their feelings might become so blended, that, in the future stages of their existence, they could live in peace and harmony. Indeed, it must be confessed by every candid person, that for the purpose of scholastic education, the Bible was not necessary. It was not used as a school-book in those seminaries where the members of that House were educated, and yet all must admit strong feelings of religion prevailed amongst them. The Scriptures, as a book of instruction, were not placed in the hands of the scholars at Harrow, Eton, or Westminster; nor was the Bible used for such a purpose, if he were rightly informed, during the undergraduate course at Cambridge or Oxford. He was anxious that the schools in Ireland should be no longer what they were represented to be; namely, an arena on which the Protestant and Catholic clergymen were contending for the scholars. The most effectual mode of putting an end to such a practice would be to permit the children to attend their respective places of abode for religious instruction. He had the most perfect persuasion, that, unless the obstacles now opposed to the unrestricted education of the Catholics were removed, all attempts to instruct them through the medium of Education Societies must fail. Indeed, the House appeared to be very much mistaken as to the degree in which education was wanted in Ireland. So far from being in the state of ignorance attributed to them, he was convinced that the peasantry of any district in Ireland would be found better educated than the inhabitants of any corresponding portion of the empire; perhaps he should except Scotland, where the people were all well instructed; but his assertion was unquestionably true, as far as regarded England. At all events, he could answer for his own constituents, and was ready to set them against the peasantry of any part of England of the same dimensions as the county which he had the honour to represent. The very poorest class of persons in that county were not alone capable of reading and writing, but were well versed in the higher attainments, in Arithmetic, Algebra, Greek and Latin. He did not mean to challenge the members of that hon. House; although he felt that, with the exception of the learned professions, and, perhaps, some coteries of blue-stocking ladies, the poor peasantry of the county Kerry were more learned than the majority of those who composed even the higher circles about London.—It was not an unusual thing to see a poor barelegged boy running about with a Homer, a Cicero, or a Horace, under his arm. Indeed, it was the opinion of an individual, well acquainted with Ireland, the father of a noble marquis (Lansdown), that the Irish peasantry did not want a literary education; that they had already enough of that, if not too much; and that they only stood in need of good practical lessons of industry. Such a system of instruction could never, however, be established, as long as education was administered through various little knots of individuals, who were anxious to pervert every grant of public money to what they considered the useful purpose of proselytism—a mode of proceeding, in his opinion, calculated neither to promote instruction, nor extend the benefits of the Reformation. He would rather advise them to establish a general mode of education, to exclude religious instruction from the schools, and to let the people read the Bible of their own accord; for he was satisfied that if, instead of attempting to enforce the reading of the Scriptures, the lower classes were permitted to follow their own inclination, they would provide themselves with Bibles. The very fact of their being commanded not to look into them would then cease to have any effect. He was the more inclined to think so from a knowledge that the people of Ireland were essentially religious. They were not disposed to treat with levity or inattention any thing connected with religion. They had always strong feelings of piety; and he was convinced that those who were anxious for the instruction, and perhaps the conversion of the Irish peasantry, were, by a perseverance in the present system, marring the object they had in view.

Mr. Secretary *Peel* said, he saw so little substantial difference in the sentiments of members who had taken part in the present debate, that he was sorry, that on what appeared to him to be a mere matter of form, so much opposition should be excited. All parties were agreed, that no interference ought to take place with the religious principles of the scholars. Two things, then, remained to be considered; namely, under what superintendence the education was to be carried on, and what should be done with the institutions now existing? For his own part, he thought the best mode of diffusing education was not through any local constituted institution; and he most perfectly agreed in the principle of Dr. Murray's proposition, that the Protestant and Roman Catholic children should be educated together; that they should learn in common, but receive their religious instruction apart, each from his own pastor. It appeared that Dr. Murray did not dissent from the introduction of some general religious education, founded on the selection of some approved parts of the Scripture; on some harmonious arrangement of the gospel, by which the grand truths of religion might be communicated, and morality inculcated, without trenching on those doctrines upon which the two sects differed. If this plan could be carried into effect, a sound system of education might be established in Ireland; and he trusted that no difficulties would be thrown in the way of accomplishing this most desirable work. He understood that the commission over which his hon. friend (Mr. F. Lewis) presided, were engaged in considering the best mode of giving effect to such a system. No body of persons could possess more ability or information to qualify them for the important task they had to perform. The question then before the House was, whether, in anticipation of the success to which they looked forward, they ought at once to put an end to the existing institutions, which were all they now had to depend upon, and which, though they might not do all the good possible, certainly had done more than could have been expected. Perhaps, in saying that the refusal of this vote would put an end to these institutions, he was, in strictness, going too far; but undoubtedly the effect would be to stigmatise them, so as to take from them the power of doing good for the future. It was during the time that he held office as Secretary for Ireland, that the Kildare-street association was instituted to superintend the general education of the poor of that country. As the conversion of the Roman Catholics was quite out of the question, it was considered desirable to improve them by education; and it was hoped that a course of public instruction might be framed, by which all apprehension of proselytism would be carefully avoided. He was prepared to have acted on the recommendation of the fourteenth Report of the commissioners of Irish Education, and to have placed it under the direction of seven or eight officers, appointed by government. But, after repeated deliberations with those who were politically opposed to him, he found their dread of the increase of the patronage of the Crown so great, that he was obliged to abandon his intention. In the course of the inquiry, however, he discovered that a society was in existence, consisting of Protestants, Roman Catholics, and Presbyterians, and associated for the purpose of conducting the education of the poor on the very principle that was desired. He had, therefore, selected this society to carry into effect the recommendations of the fourteenth report, and he was happy to state that immense benefit had been conferred on the people of Ireland by that society, in the diffusion of books of useful knowledge. That society also gave instruction, on right principles, to 50,000 children, half Catholics, and half Protestants. Doing good to at least this extent, would it be wise to paralyse its exertions? A great number of books of religious instruction, of the most unexceptionable nature had also been circulated by this society. In 1818, the number of tracts issued was 50,000; in 1820, 123,000; in 1821, 153,000; in 1822, 185,000; in 1823, 106,000; in 1824, 121,000; and last year, 172,816 tracts were published, and distributed at the expense of the society. All these publications had been approved by Dr. Doyle, and other Roman Catholic prelates. All he implored the House was, not to imply a stigma, which must be done, by passing the resolution proposed by the hon. member opposite. An hon. member seemed to have expressed an opinion, that education should be conducted wholly apart from religion. For one, he must say, he never could consent to patronize any system of education of which the principles of the Christian religion did not form a part. He did not wish to see a race of young philosophers spring up, who derived their principles from any other source; nor, on the other hand, did he wish to see children educated like the inhabitants of that part of the country to which the hon. member belonged, where the young peasants of Kerry ran about in rags, with a Cicero or a Virgil under their arms. In his opinion, this was not the education which would best fit them for the usual purposes of life. He hoped the hon. gentleman would not press his motion; for if he did, he should be under the necessity of voting against him.

Mr. *M. Fitzgerald* said, he had never expressed an opinion, that religion should form no part of education. All he had said was, that children should be educated in religious opinions by the respective teachers of the religions to which they belonged, in places set apart for the purpose.

Mr. *Peel* said, that Dr. Murray was disposed to go much further; for he was of opinion, that selections might be made from the Bible, on which both creeds might agree.

Sir *J. Newport* said, that the resolution before the House simply went to affirm a proposition contained in the fourteenth Report of the commissioners; namely that no system of education could succeed which interfered with the religious feelings of the people. Now he could not conceive how the affirming of that resolution could cast a slur on the society of Kildare-street. A complaint had been made that improper books were used in the schools. This only showed the general wish of the people to acquire education. An hon. friend of his, on visiting a school in Ireland, among other singular school-books, found Roderick Random in the hands of a boy. He immediately went to the clergyman, and asked why such a book was permitted. The answer was, that the clergy were poor, the parents were poor, and the boys brought whatever books they could find. If religion was to be taught in the schools, he could see no objection to set apart one day in the week for that purpose, and have the children instructed in separate classes. He sincerely hoped, that the right hon. gentleman would not oppose his hon. friend's motion; for if it were negatived, the consequences might be most injurious.

Mr. *Goulburn* said, he could see no good that would arise from affirming a general proposition on which they were all agreed; and much harm might be done out of doors if the House should divide on a question of this nature.

Mr. *Butterworth* expressed his surprise at the opinions delivered by an hon. member below him. If the Bible were a bad book, it might be well to exclude it; but if it was the work of inspiration, it was impossible its circulation could be injurious, and it was unreasonable to proscribe it. One of the greatest barriers to education was the interference of the Catholic priests, who neglected to educate the children themselves, and withdrew them from schools devoted to that purpose. This interference had the worst possible effects. Indeed, he had been credibly informed, that five hundred children had been withdrawn from schools in one district, chiefly on account of the prejudice raised against the system by the priests. Besides that, he held in his hand a number of resolutions agreed to by the Society of Irish Schoolmasters, which confirmed him in the opinion, that much mischief was done by this interference. The hon. member. read these resolutions, the purport of which was, that the translation which they had of the Gospel, in the Irish language, was full of errors; that owing to the restrictions imposed on them in the mode of conducting the education of the children, and the prejudice which such restrictions and interference raised among the parents, they could not carry on that education in an effectual manner. He knew that these were the sentiments of a large portion of the people of Ireland. He maintained that moral instruction alone could be of use to the lower orders in Ireland; and that such instruction was to be obtained by the distribution of the Bible amongst the people, without note or comment, according to the mode adopted by the Kildare-street Society. Virtually to exclude the Bible from the system of education was what he could never agree to.

Mr. *Hutchinson* said, it was in vain to think of any union of the systems of education in Ireland so long as there was an effort to mingle with the general scheme of education the principle of proselytism. He begged to observe that the hon. member for Dover was in a state of gross and scandalous ignorance in what he had said about the Bible in the Irish language. Did that hon. member know how few Irish gentlemen could read Irish? There was not one in every thousand of the Catholic peasantry able to read Irish. In fact the language was almost lost, for very few indeed could read it. But the statement of the hon. member for Dover was not only ignorant, but cruel, when he represented that the catholic clergy neglected the education of their flocks. If the hon. member wished to know why education was so much neglected in Ireland, he would refer him to the bloody and dark pages of her history. If education was deficient, he would ask the hon. member who it was that had impoverished and plundered Ireland, but the same class of persons who now came forward to educate the people under a vicious system? If he would turn over the records of that country, which he knew he was capable of doing, he would see the cause of that which he deplored. He would find that formerly it was death for a Catholic parent to send his child abroad to receive that education which was denied him at home. If the hon. member meant to assert, that the Catholic priests neglected the education of their flocks, he would tell him, that it was a gross and scandalous libel. Neither was it true that the Catholic priests denied their flocks the use of the Bible; but they said, that in the Bible there were many things unfit to be put into the hands of youth, and therefore they would not allow them to peruse it without some explanation. They therefore put the Bible into the hands of their parishioners, accompanied by notes of the ablest commentators. The hon. member seemed to think that nothing more was necessary than that the Bible should be cast among the people, and that they would work out their own salvation. He held, apparently, every man to be a blockhead who could not do so; and if he found any thing struck a man with horror in the Bible, the hon. member considered him irredeemable. He could tell the gentleman opposite that no possible good could be effected for Ireland by connecting education with religion; and if they thought, by any side wind, that it was possible to undermine the Catholic religion, they would find themselves very much mistaken. The best way was, for the government not to interfere with religion, but to allow the people to worship God after their own method.

Mr. *Spring Rice* briefly replied, and declined pressing his motion.

IRISH ESTIMATES.] The House having resolved itself into a committee of supply, Mr. Goulburn moved, "That the sum of 19,500*l*. be granted for the support of the Protestant Charter schools of Ireland."

Mr. *John Smith* objected to this vote. The system of corruption and mismanagement which prevailed ought to be corrected. Before he voted one farthing he must have some security against the recurrence of such cruel and barbarous outrages as had heretofore been practised in those schools. If he received the assurance from government, that all possible efforts would be made to prevent the repetition of such barbarities, he would not object to the vote.

Mr. *Goulburn* said, that the present vote was reduced as compared with the former vote, and the object of such reduction was, to provide for the gradual abolition of these charter schools. Every effort had been made, and would continue to be made, to prevent the recurrence of such transactions as had been described, but the commissioners found it difficult to get rid of all these abuses at once. As to the cruelties of former periods, the cases had been referred to the law officers of the Crown, and by them proceedings had been instituted, which were now in progress at the several assizes. The conduct of the schoolmasters had been brought under the consideration of the commissioners of education, who had diligently investigated every case of cruelty, and he hoped, at no distant period, to be able to announce an effectual reformation. The vigilance of the committee of fifteen, and of the government would be exerted, to prevent a recurrence of the abuses complained of.

Sir *John Newport* said, that the committee of fifteen were far from having used that diligence which the country had a right to expect from them. On looking at the estimate, he found a charge for the catechists, who were to report monthly to the committee, but who, as it appeared in evidence, had not for the space of nine months made a single report. Who were these catechists for whom this charge was made? They were the parochial clergy, and were therefore bound to catechise the children of their parishes without gratuity or remuneration. Were those who had already been found to neglect this important duty again to receive salaries for doing nothing? With regard to the duties of the committee of fifteen, how had those duties been performed? During the space of a whole month, their secretary had contrived to evade, by a series of subterfuges amounting to little short of perjury, the various interrogatories put to him, as to the progress of the committee. At length it was elicited from him, that he did not believe that forty reports had been made by them; and he was ultimately brought to admit, that not a single report had been presented by them to the General Board. But he (sir J. Newport) was not satisfied with the rate of the proposed reduction. He contended, that it would be better, in the first instance, that the apprentice fees in these institutions should be augmented to a given amount; by which the public would be relieved from the perpetual maintenance of the establishments on the same scale of expense. The House had it before them in evidence, that young men who were of a fit age to be apprenticed, were retained in the institutions by the masters, for the sake of the profit which they derived from this contrivance. Now, the House would take into consideration, that the charter schools were not solely dependent upon parliamentary grants; but had, in addition, property of their own amounting to 10,000*l.* a-year. It was evident that a great proportion of the funds intended to be appropriated to the uses of the poor through these channels was grossly misapplied; and the mal-practices which were so justly reprobated, were continued under the very eye of the committee of fifteen. Nay, their own officers were known to carry on corrupt communications with the schoolmasters, by means of contracts for clothing and other necessaries. The right hon. gentleman had said, that an investigation into the conduct of the officers was in progress. Why, three days would be sufficient for such an examination; and yet the committee of fifteen took seven months, and had done nothing effectual as yet. It was more than seven months since a resolution had passed that House for the prosecution of those who had been engaged in malpractices; while a week, at the utmost, would have been abundantly sufficient either to establish the fact against them, or to prove their innocence. If, then, the business was left in the hands of the committee of fifteen, judging from their services hitherto, it might be protracted ad infinitum, and the officers, in the interim, be continued in an employment which they so much abused.

Mr. *Goulburn* said, it could not be disputed, that great abuses had been practised, but measures had been taken to correct them. He would repeat his pledge, that of the money now to be granted there should be no misapplication. Gentlemen who were acquainted with Ireland would be aware how many local difficulties there were in the way of arriving at the truth as to the conduct of the catechists.

Mr. *Hume* said, he was anxious to call the serious attention of the House to the situation in which they were placed with regard to the whole system of Irish expenditure. The country was forced to submit to the greatest extravagance in these disbursements; and he knew of no proceeding that placed the conduct of the Irish government in a more censurable point of view, than the subject now before the House. In the year 1821, he had cautioned the House in vain against the improvidence of this grant. The greater part of the sums allotted to that part of the empire for miscellaneous services, which amounted in the whole to 371,589*l.*, was placed under the management of authorities, over whom the government had no control, and who perpetually indulged in the most profligate waste of the public money. It was too bad that England should be taxed to keep up these enormous mismanaged establishments. The House should not be told, that the government had been ignorant of the abuses practised. It was their duty to make themselves acquainted with the mode in which the grants of public money were dispensed. There was great reason to complain of the right hon. secretary for Ireland, who, from the moment he came into office, began to augment these votes, and still persevered in adding to them. The increase of the estimates within the last few years, was extravagant in the extreme. In 1822, the aggregate of the votes for Ireland was 322,000*l.*; last year it was increased to 365,000*l.*; and its amount for the present year was 371,589*l.*; although it had been proved, to the satisfaction of the House and the country, that not the slightest benefits was derived from the expenditure of any of the sums which had been so liberally granted. He wondered how the chancellor of the Exchequer, who would find himself not a little pressed upon the subject of ways and means by and by, could sit quietly and see so large a sum actually thrown away by the government of Ireland. He had been at the trouble of drawing out a paper containing a statement of the funds appropriated to the Irish charter schools since the Union, and this calculation would, he thought, a little surprise the House. In the nine years preceding the year 1800, the aggregate of these grants was 13,000*l.* The articles of union provided, that no decrease should take place in the Irish grants for charitable objects for twenty years to come; but this stipulation was quite unnecessary, for instead of being diminished, they had since that period been nearly trebled. The hon. gentleman then read a statement of the grants for Irish charter schools, from 1801 down to the present year, and announced the aggregate sum since the Union to amount to 732,568*l.*, voted for a purpose which was acknowledged by all sides of the House as useless, and he contended, absolutely injurious. But that was not all. These schools had incomes of their own, which incomes, notwithstanding the rise in the value of land and property, were absolutely no greater, in consequence of the mismanagement of the trustees, than they had been in 1796. They were then 7,067*l.*, and he saw, by the paper on the table, that they were 7,067*l.* still: but take them at that sum, and there would be 183,000*l.* to be added to the sum granted by parliament; so that the whole sum expended was 916,000*l.* Could they, after that, be content with the snail's pace at which the government wished to proceed in effecting a reduction in this branch of unnecessary expenditure? He would suggest that, instead of continuing this waste of money, they should at once put an end to the whole system, and leave the money in the hands of the lord lieutenant, to be applied by him to apprenticing the children, and adopting such regulations as would relieve the country from any further burthen.

Mr. *Goulburn* contended, that the whole sum was, in effect, less than it had been in former years. The hon. gentleman, in making his statements, seemed to forget altogether that the institution had been supported at one time by taxes which were levied from the people in Ireland and applied to this particular purpose; and that when these taxes were repealed, it became necessary for the government by grant, to supply the deficiency.

Mr. *Monck* reprobated the practice of calling upon the people of England to support those institutions in Ireland, which should be maintained by a tax on their own gentry. No people could be more competent to pay such a contribution than the Irish landholders, for they paid neither poor-rates nor land-tax. He considered it shameful that they should require from the inhabitants of England and Scotland a sum of 371,000*l.* annually for the education of the children of their poor. The sum, if it must be raised at all, should be procured by a tax of six-pence or nine-pence in the pound on the income of the Irish gentry.

Mr. *Grattan* defended the conduct of the Irish landholders. Some of the schools in Dublin were as ably conducted, and as beneficial in their operation, as any establishment in England. He condemned the doctrine of the hon. member for Reading, who would allow the absentee landlords to take all, and give nothing to Ireland in return.

Sir *John Newport,* after repeating his sense of the uselessness of the schools, and the waste of the public money, moved, in compliance with the suggestion of the hon. member for Montrose, an amendment, "That the sum of 19,500*l.*, for the support of the Protestant Charter Schools, be granted to the lord lieutenant of Ireland, in order that he may adopt such regulations as may be deemed advisable for the reduction of the number of children educated in those schools."

Mr. *John Smith* said, that, from the acts of cruelty which had been proved against the masters of those schools, and from the gross misapplication of money brought home to the Secretary and others under the Commission, he should give his vote for the amendment, to fix a stigma upon their conduct, and mark the sense of parliament as to their proceedings.

Mr. *Goulburn* could not consent to punish the commissioners for the impropriety or misconduct of a few of their servants. As the reduction would be effected as soon as possible, any such power to the lord lieutenant could be productive of no possible good.

Sir *John Newport* then declared his intention to take the sense of the House upon the question.

Mr. *F. Lewis* was of opinion, that the amendment would not accomplish the object it proposed to have in view.

The committee divided; for the original motion 42; for the amendment 19; majority 23.

TOLLS AND CUSTOMS AT FAIRS AND MARKETS IN IRELAND.] On referring to vol. xiv, p. 439, it will be seen that Mr. Spring Rice moved, on the 16th of February, "That an humble Address be presented to His Majesty, praying that he would be graciously pleased to give directions, that a Commission should issue to inquire into the Tolls and Customs collected in Fairs, Markets, and Sea-ports in Ireland." The following is a correct report of what the honourable member said, in introducing the said motion:

Mr. *Spring Rice* said, he rose, in pursuance of the notice which he had given, to bring under the notice of the House a subject of very considerable importance, as it affected the trade, manufactures, and industry of Ireland. The question was no less a one than whether there should continue to be exercised in Ireland a power of taxation, administered by persons who, practically speaking, were irresponsible, and who scrupled not to exact for their own profits sums exceeding in annual amount many hundred thousand pounds, and charged in a manner as illegal as it was impolitic. The subject had been brought under the notice of the committees of both Houses of parliament, and was recommended by the report, as deserving the most serious and early consideration. He would, in a few words, describe the abuse of which he complained. At fairs, markets, and seaports in Ireland, tolls and customs were charged upon the sale and transfer of all commodities, including articles of the first necessity, thereby restraining trade, and enhancing the price upon the consumer. No man could defend the principle of such a mode of taxation; and if it were collected for the benefit of the state, he felt a confidence that his motion would have been anticipated by the Board of Trade, and that a repeal of such absurd and mischievous burthens would have been proposed by the ministers of the Crown. In our days, no man would continue to vindicate taxes similar to the alcovalas in Spain, the octroi of France, or the Austrian imposts in Northern Italy. And yet the local burthens of Ireland were infinitely less defensible. The House would scarcely credit the extent to which these exactions had been carried, not only without all law, but contrary to all law, the mode of collecting them being productive of still greater mischief. Nor had the evil yet fully developed itself. In an early state of society, in which he regretted to admit that Ireland was still placed, men make a rude and imperfect attempt to supply all their own wants by their own labours. The labourer grows his own flax; his wife spins it, one of his family may complete it by weaving. In like manner, woollen goods are produced for private consumption. Here, as there is but a limited sale and transfer, a tax upon sales in markets is, comparatively speaking, innoxious; but, so soon as a division of labour takes place, upon which alone any real accumulation of national wealth can be founded, a tax upon commodities operates most fatally; and, if it is high in amount, it prevents or checks the progress of the division of labour itself. Thus would these local exactions be found hereafter to operate in Ireland: of their present nature he would now proceed to inform the House. The first point to which he wished to call the public attention was the excess of charge. This he would prove from the returns made by the persons interested in tolls themselves. By law, they were bound to lodge a schedule of these tolls with the clerk of the Peace; and they could not complain of the evidence which they themselves had furnished. He would not weary the House with many examples; a few, taken from the south of Ireland, would serve as specimens of the whole. For instance at Skibbereen, the toll on coarse woollen frizes amounts to five per cent ad valorem; that on corn and meal to 1-16th of the quantity sold. At Bridgetown, 1-16th of all potatoes sold is taken as the toll. At Tralee, five per cent is levied on woollens. At Carrick-on-Suir 1-21st of all potatoes. At Bantry 1-16th. At Killeagh, Shandrum, and neighbouring fairs, the ad valorem duty is fixed at five per cent, and applies to almost all the domestic manufactures. The common charge in the county Cork is 1-32nd part of potatoes; and at a market lately established at Blennerville, in the county Kerry, all corn, butter, meal, and potatoes, are burthened with five per cent. The House would judge of the amount of these taxes when he informed them, that the annual trade of Tralee and Blennerville, amounted in value to 100,000*l.*, and that at Sligo, the toll of 1-32 on corn, would produce an income of 3,900*l.* It required no argument or authority to show, that this was wholly illegal. Such excess of charge was unlikely to be supported by any charter or patent; but even if it were, such a charter or patent would be void, as the Crown could not by its prerogative sanction such extortion. A grant to that effect would be void. He spoke under the correction of the Attorney-general for Ireland, to whom he appealed for the correctness of the principle he had laid down. But this was not all. On various occasions parliament had interfered, and on general principles of expediency, had freed particular articles from any toll or custom whatever. One exemption had been enacted for the encouragement of the linen trade. By the 3 Geo. 3 chap. 34, flax, flax-seed, linen, or hempen manufactures, and all implements, were freed from all claims of toll either on the part of individuals or of corporate bodies. Yet this exemption was violated in numberless instances. Out of fourteen returns from the county of Clare, toll was charged in nine on linen, and in four on kelp, an article included in the exemption. At Macroom, bandle linen is charged three-pence in five-shillings. At Masseytown, one shilling to one pound. At Killeagh and Mount Uniake similar exactions prevail. Even in the North and East, as at Newry and Carlingford, kelp and ashes are included in the schedules of tolls taken. At Drogheda, linens, at Banbridge, flax is taxed. In Connaught, at Swineford, Newport, and Loughrea, the same abuses exist. Even within reach of the trustees of the linen manufacture, at Dungannon, Westport, and Clonmel the law is openly violated.—Was not this a case which required immediate and effectual interposition. The 1 Geo. 3 chap. 17, freed all turf and faggots from toll, and yet, at Atherdee and Athy, and other places, a claim was maintained for custom on turf and furze. Here again was a second violation of a positive enactment. A third, and still more mischievous abuse, referred to the article of potatoes, and was consequently highly oppressive to the poor. By the 25 Geo. 3 potatoes are directed to be weighed free of all charge, yet, at Kanturk, Balla, Stradbally, Clones, and Strabane, a distinct charge was illegally made for weighing. Even at Maryborough, (under the quick observation of his hon. friend the member for the county) this illegal extortion was received. The next case to which he should refer, was the violation of the 4 Ann, c. 8, which exempted from toll all articles in transit and not sold. The House would scarcely believe, that in the rich and intelligent town of Belfast, the schedule claimed a toll upon every car of provisions entering the fair, and in innumerable other instances, as at Bandon, Timoleague, and Killiagh, the toll is stated to be levied, not on the toll, but on the exposure for sale. Here again he would ask the House was not this a fit case for serious and immediate consideration? He would next refer to the evidence given before the select committee, which proved not only the evil, but the inefficiency of existing remedies. Dr. Church said,—"I have known instances in which the collection of tolls and customs at fairs has led to breaches of the peace and great dissatisfaction. I believe there is very often great abuse. A poor man bringing in a basket of fish—the first thing taken is a fish for the toll, and they generally take the best fish. I believe the toll taken in kind is the perquisite of the provost or magistrate. In case of any abuse the complaint would also be made to the provost. There was very much difference of practice between the county magistrates and the provost. It was much taken notice of, and he was removed by the King's-bench. I believe the government would have removed him much earlier if they had had the power of doing so." Mr. Read said,—"The market tolls and customs are very injurious to business, they impede our business very considerably; because these are tolls and Customs I conceive not warranted by law; and in many places where they have no claim whatever to collect them they use force, beating the cattle and pigs very much, and bruise and hurt them very much indeed." Mr. M'Donnell said—"Tolls are a great and illegal grievance—levied on every day in the week as well as on days allowed by law—levied on articles not sold in the market—flour or meal bought at a neighbouring mill or town—coals delivered to a customer though not exposed to sale."—He had now traced the grievance in its practice, but much remained to be said on its effects. The toll-collectors, often the least reputable persons in the community, excepting, perhaps, the tithe-proctors, stood at the entrances of the fairs with a cudgel in one hand and a testament in the other, inflicting assaults for which they ought to be indicted, and administering oaths for which they merited transportation. Breaches of the peace innumerable—a general carelessness respecting oaths, leading to perjury, were the moral consequences which attended this blessed system. He trusted he had made out a case for inquiry, which was what he asked for, and he thought a commission was the best means of attaining his object.

HOUSE OF LORDS.

Tuesday, March 21.

Irish Charter Schools.] The Bishop of *Ferns* moved, that there be laid before the House Copies of all Letters received from Charter-schools of Ireland by the Secretary of the Incorporated Society of Dublin, and transmitted by him to the Commissioners of Education, since the year 1824.

Lord *King*, after adverting to the voluminous evidence of the committee of 1815, complained that the Incorporated Society had not attended to the recommendations in the report on that occasion. It appeared that the usher of Stradbally school who had been dismissed at the instance of Mr. Leslie Foster, one of the commissioners, had since been promoted to a more lucrative situation. In the memorial which the usher had sent to the Board in Dublin he spoke of the gentleman by whom he had been dismissed, in very disrespectful terms, describing him as "a Mr. Leslie Foster." The members of the board, however, seemed resolved to encourage him, their object being to decry every one who wished to correct abuses. The cause of the usher's dismissal was cruelty to the children. But how had the board acted? They advanced him to a more lucrative situation, instead of marking their sense of his conduct in the way that it deserved.

The Bishop of *Ferns* admitted, that the conduct of the individual in question had been very censurable. Three indictments for cruelty had been preferred against him, and he was tried the other day before the lord chief baron in the town of Maryborough. The jury was composed partly of Catholics and partly of Protestants, and they acquitted him on the first and second indictment without leaving the box, and the third was consequently abandoned. He did not know that in point of form he could move for the judge's notes of the trial, but if that were allowed, he should wish to do so. The usher had been too severe over the children, and he was removed to a school where he could not exercise his severity, but where his talents, as a practical mathematician, might be highly useful. He had been sent to a school expressly intended for the education of parish clerks and schoolmasters. Another serious charge contained in the report was, the want of religious education in the different schools. It was stated in that report, that in a school in the diocese of Leighlin and Ferns there were twenty of the senior boys who had never heard of St. Paul. But he would only refer to the passage in the report where the charge was made for its own contradiction. It was there stated, that the scholars were not only acquainted with the church catechism, but with the explanation of it, in which references were made to St. Paul not less than thirty times.

Lord *King* thought it much better that the right rev. prelate should give notice of a regular discussion on this subject than indulge in desultory observations with regard to it. It was said that there were twenty boys who had heard references made to St. Paul, but in his opinion there were very few who had heard one word about Job. He could see no advantage whatever that was likely to result from this sort of superficial knowledge.

The Marquis of *Lansdown* said, he had a motion connected with this subject to submit to their lordships, which would have the effect of bringing one part of the information required before them. He wished to see a return laid on their lordships' table of the number of scholars in all the charter schools of Ireland, distinguishing the different religious persuasions. He agreed with the noble lord, that this question ought not to be discussed without a regular notice, and he should therefore abstain from making any remarks. He must, however, express his hope, that some satisfactory explanation could be given of what had been stated in parliament of the past proceedings in the chartered schools; and which showed the existence of a degree of cruelty and mismanagement quite extraordinary and, when it was recollected under what system of inspection those schools had been placed by parliament, quite unexpected. He thought an inquiry was necessary, and he hoped it would be an effectual inquiry. Something was necessary for the satisfaction of the individuals themselves, and of the public. It could not be, he thought, that all those abuses had taken place under the inspection of distinguished characters; abuses which, if true, were calculated to throw discredit on the national church, and on all those engaged under the system. He had read with indignation, the accounts of these abuses, as contained in the recorded votes of the other house of parliament; but he hoped to see those statements disproved. The noble marquis concluded by moving for the return, which was ordered.

CORN LAWS.] Lord *King* said, he had to present to their lordships a petition against the Corn-laws from one of the largest parishes in the metropolis. The petitioners stated, that they had confidence in the good intentions of his majesty's government. He also had confidence in ministers, and he was glad to see that they were likely to receive real support from without; for otherwise they might expect little from within parliament. He sincerely trusted they would not be deterred from proceeding in their course, and that the public would not slacken their efforts; for, unless ministers were supported by petitions, it would be impossible for them to carry their good intentions into effect. In consequence of the part he had taken on this question, a great deal of advice had been offered to him by different persons. Some had requested him to desist, hinting that his speeches were like sermons in Lent, and repeated as often. Others were of opinion that he had a vicious propensity to make corn cheap; and as they thought that a vicious propensity in him, he must suppose that they considered a disposition to make corn dear a virtuous propensity. A third party complained that he treated these worthy Corn-laws like a miscreant at the bar of the Old Bailey, giving them all kinds of bad names. He was blamed for stigmatizing them with more aliases than ever was given to a thief on his trial: for he had called them the Corn-laws, alias the bread-tax, alias the dead-weight, alias the landlords' tax, and, worst of all, alias the job of jobs. Now, as so much kindness had been shown to him in the way of advice, he wished to give the House some good advice in return. In the first place, he would beg of noble lords to reflect what the situation of the country would be if the price of corn were to rise considerably? That such an event might happen was no vain fear. He could state it as matter of fact, that there was at this time less corn than usual in granaries in the country; that the markets were less crowded with supplies; and that in the warehouses there was less corn than had ever been known at any former period. Now he would seriously ask the House to consider what the state of things would be if corn were to rise considerably before harvest? By such a rise, this country would be thrown into a state of much greater difficulty than it experienced in 1796, 1797, and 1801, because the population was now much greater than at that time; and because there had been for a long time past no importation from abroad. Besides, he believed that a sufficient supply could not be at once obtained by importation; for he understood that it would appear from the report which the noble lord opposite had promised to lay on the table, that the state of the foreign markets did not hold out much expectation of large importations, and, at least, that they could not be looked to for any sudden supply to a large extent. But it was above all things to be recollected, that according to the present law, our ports could not be opened, and no foreign corn could be admitted, until the price rose in this country to 80*s.*—to an amount which, in the present state of things, would be a starving price, indicative of a period of famine. He had lately seen a report made to the French minister of the interior, in which the average price of corn in different countries was stated. The price was given in franks, but the proportion showed the difference in several parts of Europe. According to this statement, the price in England which was 27*f.* 32*c.*, was higher than in any other country. At Amsterdam the average was 12*f.* 32*c.* In France it was higher; the average there being nearly 16*f.* The only place in Europe in which the price of corn approached the height at which it stood in England, was Spain, under the misgovernment of Ferdinand. Thus their lordships divided between them and that despot the disgrace of making corn dearer in England and in Spain than in any other country of Europe. How was this disgrace to be wiped off, and the evil of high prices to be corrected? The only resource their lordships had for accomplishing that object, was a revision of the Corn-laws. That, however, he believed, would not be done until the noble earl opposite was resolved to clear away all the lumber and cobwebs which embarrassed and darkened the cabinet—until he dismissed all useless members, to go, if they liked, to king Ferdinand, whose ministers they were well fitted to be. If the noble earl would take this advice, he would, when he came to the task of revision, find that House as plastic as a piece of potter's clay. But if he did not choose to do this, there was another way in which the business might be managed. When the usual circular at the commencement of next session came to be written, the noble earl had better address his old friends in these terms:—"My lord, parliament is to meet for the despatch of very important business on the 3rd of February next, when your lordship's absence is most earnestly requested." All that was needful was to get his old friends to stay away. This was his advice to the noble earl; but he had said that he would give advice to the House, and he would now give it in one word. His advice to them was simply "Do justice." What right had that House, or any legislative assembly, to devise means to raise the price of food? It would be a breach of trust, if it could be supposed that so monstrous a proposition was acted upon by any parties in parliament, as to make corn dear for their own advantage. Such a course, if persisted in, was calculated to bring on one of those political convulsions, in which a lawless power might step in, as was once done in another place, and say to one, "You are an extortioner," to another "You are a tithemonger" "Get you gone, and give place to honester men."

Lord *Calthorpe* thought, that the discussion of the subject had better be postponed to the next session. He did not think it was for the interest of the landlords to maintain the present Corn-laws, but that importation, under a moderate duty, would be more to their advantage. He did not conceive that those laws had been proposed from any interested motive. On the contrary, he believed that they were submitted to parliament under the honest conviction that they were not only good for the landed interest, but for the public at large. There certainly would be great evil in allowing the question to remain long in its present state. If any delusion existed on the subject, the best way to remove it would be to submit the question to the investigation of a committee. The noble earl had very properly taken this course on a recent occasion. To neglect to institute an inquiry was not so much abstaining from discussion as shutting out that light which it was their lordships' duty to seek. He thought he was not reflecting on the agricultural classes of this country, when he said that they were not so enlightened, or so ready to form just views on great national questions, as other classes of the community. Ministers ought not to hesitate to enter upon a revision of the Corn-laws; for if they were even to be defeated in both Houses of parliament, the attempt to lower the duty would raise them still higher in the public esteem. He did not expect that any great difference in the price of corn would be the result of an alteration of the law; but he regarded that alteration as an indispensable step in the system of wise policy which ministers had adopted with respect to commerce.

The Earl of *Limerick* thought, that the first noble lord's obvervations, though very inflammatory, carried with them their own cure. He was struck with the singular coincidence between the noble lord's speech, and the name of the place whence the petition came. It was the petition of the parish of St. Luke, and much of what had fallen from the noble lord appeared to be strongly impregnated with the quality which was generally supposed to abound in that parish. The noble lord had been very free with his advice; but he was satisfied that both his majesty's ministers and the House had too much sense to take it.

Lord *Clifden* approved of the determination of his majesty's ministers to postpone the discussion of the corn question to the next session. The consideration of the currency occupied parliament to such a degree as would render it very inconvenient to enter upon a revision of the Corn-laws. He hoped, however, that the subject would be brought forward early next session, and that importation on a moderate duty would be allowed. He understood that the gentlemen who had been sent abroad to make inquiries, were of opinion that no such quantity of foreign corn could be introduced as would hurt the agricultural interest. Some gentlemen said that the agricultural interest would be ruined by importations. He did not believe this. The ports had been opened for barley, and since that period, barley had been at 52*s.* per quarter. It had afterwards fallen to 32*s.*, but that was not in consequence of importation. He was in Munster when the ports were opened for the admission of oats, and there the people all expected to be ruined. They were horror-struck, and said that oats would be down to 5*s.* the barrel or 15*s.* a quarter; but this was not the case. He was not one of those who thought that corn must be very cheap before the labourers could be comfortable; but until they had the value of a bushel and a half of wheat a week, they could not be comfortable. As long as they only received about 7*s.* a week, when wheat was at 10*s.* a bushel, their lot must be miserable. This, or worse than this, was the case in the south and west of England. The farmers gave the labourers 5*s.* a week, and made up their wages out of the poor rates.

Ordered to lie on the table.

BANK NOTES PAYABLE WHERE ISSUED.] The Marquis of *Lansdown* rose to call their lordships' attention, and particularly the attention of the noble earl opposite, to a topic which had been mentioned on a former occasion. He alluded to the practice of many bankers issuing promissory notes of making them payable at some place distant from where they were issued. This was a practice which could not be defended. He knew that by the bill which had lately received their lordships' sanction, bankers would at the end of three years be obliged to make their notes payable at the place where they were issued; but he thought this evil ought not to be allowed to continue so long. When the practice had been mentioned on a former occasion, the noble earl opposite had doubted whether it was so extensive as was stated. Now, he had heard of fifty-five banks which issued promissory notes that were not payable out of London. He had heard, indeed, that one bank, as far off as Aberdeen, made its notes payable in London. The branch banks of the Bank of Ireland issued the notes of that Bank payable only in Dublin, and circulated them all over the south of Ireland; at present those notes were at a discount, and in the large towns of the south, such as Cork, could not be disposed of without the loss of 4d. This he knew was the case within the last fortnight. Great mischief must result from this practice, and the legislature ought not to allow its existence. He was at a loss how to frame a motion on the subject, so as to produce any information to be laid on their lordships' table; but if the noble earl opposite would give him assistance, he might, perhaps, accomplish his object. At present, he did not know to what office an order, requiring to be laid on their lordships' table, an account of the number of banks issuing notes not payable at the spot where they were issued, could be sent, or he should certainly make a motion to that effect. Their lordships must recollect, that it was not only one and two pound notes that were so payable, but larger notes; and he thought the names of the bankers who did this ought to be known to the public. Though he should not conclude by making any motion, he was glad to take that opportunity of calling the attention of the noble earl opposite to the subject.

The Earl of *Liverpool* said, he should be very ready to give the noble marquis any assistance in his power in obtaining the information he wished, but he did not know how it could be accomplished. It was desirous on many accounts to correct the evil he had pointed out; but, as the law stood, he did not see how it could be immediately corrected. A clause had been added to the bill, which had lately received their lordships' assent, and which would in a day or two receive the royal assent, by a noble friend of his, compelling all banks, at the period when that act came into operation, to pay their notes at the places where they were issued. But it was not supposed possible, with any regard to what he might call vested rights, to make that clause immediately operative. If the notes were now to be stamped, he should say, certainly, that none should be issued to bankers who did not come under that obligation; but the notes were already stamped, and most of those which were to circulate for the next three years were most probably already in circulation. It had, therefore, been thought, that the clause could not be brought into operation before the period assigned for the act to take effect. Agreeing in principle with the noble marquis, he thought their lordships might, in any bill which was brought in to regulate the issues of notes either in Scotland or Ireland, make such a clause a part of the bill, and it might be brought immediately into operation. Even if they were not to legislate in other respects for Scotland and Ireland, they might legislate in this.

The Marquis of *Lansdown* said, he was sensible that there was a difficulty in the way of any proposition on the subject with respect to England; but as to Ireland and Scotland he saw none. As much evil might arise in those countries from the circulation of small notes not payable at the place where they were issued, he would, after the Easter recess, call their lordships' attention to the subject. This he considered indispensable, whatever might be the nature of any measure which might emanate from the committee.

The *Lord Chancellor* said, that in the last session but one, a case had been brought before their lordships by writ of error, in which a promissory note or bill of exchange had been made payable in London. A question had arisen, whether it was sufficient that a demand for payment of that note had been made in the country, or whether it must be made in London? On this subject the judges were divided; several of them thought it was not necessary that the demand should be made in London; but the majority, and their lordships were of the same opinion, thought that it was necessary to make the demand in London, and that the declaration should contain an averment that it had been made. But since that period, an act had been passed, making promissory notes payable in London, demandable elsewhere, unless it was expressly stated on the note that it was payable only in London. If this were the case, country bank notes fell under this law; and if not made payable only in London, payment of them might be demanded at the place where they were issued. He would examine the law on the subject, to see if the opinion he had thrown out was correct, and would report the result to their lordships.

The Earl of *Limerick*, as an Irishman, was thankful to the noble marquis for having brought this subject before their lordships. The notes of the Dublin Bank were payable only in Dublin.

HOUSE OF COMMONS.

Tuesday, March 21.

FORGERY OF BANK OF ENGLAND NOTES.] Lord *Folkestone* presented a petition, very numerously signed, from the inhabitants of Rochdale, praying for an alteration of the Corn Laws, a reform in parliament, and a reduction of taxation.

Colonel *Johnson* warmly supported the

petition, and observed, that the measures called for by it were the only effectual ones for giving relief to the country. In this House attention seemed to be paid to all classes but the poor, who were at that moment in various parts of the country in a state of starvation. The hon. member then alluded to the new circulation of one-pound notes, and said that their baneful effects were beginning to be displayed by the convictions of six men for forgery, which had taken place at the Assizes for Lancaster. He wished to know what steps government meant to take upon this occurrence.

Mr. Secretary *Peel* said, that he knew nothing of these trials or convictions but through the same channels of communication which were open to the public.

Mr. *Grenfell* observed, that the conviction of six unfortunate men for the crime of forgery of one-pound notes was, he feared, but the recommencement of that frightful system of temptation to forgery, and consequent execution from which the country had been for some time at breathing. He begged to ask his majesty's government, whether the new circulation of Bank of England one-pound notes was to be as likely to expose the country to the frightful evils of which he had spoken, as it had been hitherto? Had the Bank done, or were they about to do, any thing which would make the forgery of their notes more difficult? He admitted the impossibility of making an inimitable note, but much could be done to enhance the difficulty of imitating those at present in circulation. It was a fact, that forgeries of country bank notes were very unfrequent. But why was this, except that the country bankers took greater pains to guard their paper against imitation? He hoped that the Bank would feel the serious responsibility under which it lay, and devise some means of diminishing the temptation to the most frightful of crimes.

Mr. *Wells* agreed as to the great facility with which Bank of England notes might be imitated. It was incumbent on the Bank of England to endeavour, by every means in their power, to limit these facilities. The notes of the Bank of Ireland were not so easily imitated, and forgeries of them were comparatively unfrequent.

Mr. *Irving* said, that the Bank of England were as anxious to put a stop to forgery as any body could be. In proof of that, they had appointed a committee to inquire into the subject, which was unceasing in its labours for twelve months, and had examined the most eminent artists in the metropolis, at an expense of 80,000*l.* But, notwithstanding all the ingenious suggestions of the persons examined, it was found to be impossible to make a note incapable of imitation.

Mr. *Home Drummond* thought it uncandid to charge upon the notes of the Bank of England those faults which were incident to all bank notes. The notes of the Scotch banks were not better executed; and as for the country bank notes, nothing could be more clumsy or worse executed. The frequent forgeries upon the Bank of England were, therefore, not to be accounted for otherwise than by reference to the facility of imitating the note, and he should say that the extent of circulation of that note over all others, and more particularly in London, and the quickness with which it circulated, were more plausible explanations of the disparity. Such was the ingenuity displayed in the forgery of notes, that it was impossible to prevent it.

Mr. *Ellice* hoped, that the fact which had been stated that night would have the effect of making the Bank pause before they proceeded to take advantage of the clause in the bill just passed, and again deluge the country with a material so pregnant with temptation to crime. For three years the public had got rid of this pernicious circulation, which as soon as it again showed its head, produced fresh crimes and fresh executions. For the sake of humanity, he hoped this would be the last instance of so prodigal a sacrifice of human life.

Sir *M. W. Ridley* admitted, that it was impossible to produce a perfectly inimitable bank note, but, from the specimens he had seen, he was clearly of opinion that the present note might be very much improved. It was certainly unfair to say, that because Bank of England notes were more often, they were therefore more easily imitated. It should be recollected, that these notes were differently circumstanced from all others. The notes of country bankers circulated within a small compass, and the handwriting of the banker was known, perhaps, to every man in trade within the particular district. But it was not so with the Bank of England note. He did not think that from any superiority in the form of the note, nor even by getting rid of a paper circulation, we should put an end to crime; for when there were no bank notes, the calender of crime teemed with coiners.

Mr. Secretary *Peel* said, it was ridiculous to compare the quantity of crime committed by coining with that committed by forgery. For the last three years the system had had a fair trial, and what was the result? That some convictions had undoubtedly taken place for coining, but in no proportion to the number convicted of forgery during the paper system. At the same time it should be recollected, that at no period were the five-pound notes out of circulation, and that one of the cases at Lancaster was for forging a five-pound note. He was ready to admit that the one-pound note was more easily passed away, and that many would try their hand at that, who would be afraid to attempt a larger one. The question here was, whether or not the Bank were to blame? The impossibility of making an inimitable note being admitted, how could the Bank be reproached, more particularly after the statement made by one of the Directors, that in the attempt to enhance the difficulty of forging a note, they had expended no less than 80,000*l.*? There could be no doubt but that the wishes of the Bank concurred with their interest in putting a stop to forgeries. These prosecutions were conducted at a great expense, and the Bank could not be insensible to the effect which they had produced on the public mind. He had always thought that, though it might be impossible to make an inimitable note, the prospect of engrafting some improvement upon the present note was not hopeless. It was worthy of remark that the Bank of Ireland notes were not forged, although the temptation as to the extent of their circulation was comparatively as great. He was decidedly of opinion that something might be done to the Bank of England note to render it more difficult of imitation.

Ordered to lie on the table.

STATE OF PRISONS IN SCOTLAND.] The *Lord Advocate* of Scotland said, that in making his proposed motion, he had to inform the House, that the prisons of Scotland were entirely under the guardianship of certain royal boroughs, which were not possessed of revenues sufficient for their maintenance. The consequence was, that the gaols of that country were of the worst possible description, and their management of them a disgrace to any country. The apartments were always few in number; there was no classification whatever of the prisoners; in many of them there was not even a fire-place, and the persons under confinement were exposed to the greatest of inconveniences. These unhappy persons had to undergo severities which were truly dreadful, and those severities were inflicted without distinction of age or sex. Persons, both before and after conviction, the debtor and the criminal, were all mixed together, and thrust into a space totally inadequate to their accommodation. But he had also to complain of the improper persons to whom the charge of gaols was committed. These people were often in other employments, and were sometimes shopkeepers in the town. They did not reside in the gaols; and in the event of accidents, they were totally unacquainted with what happened. In one case, the gaoler lived at a distance of sixteen miles from the prison; in another instance, the gaoler was stone-blind, and the gaol was managed by his daughter. There was a crown debtor in this very gaol for the sum of 7,000*l.* The House would see that the blind gaoler could not give his eye to the prisoners; and as to the daughter, it might occur that the prisoners might be giving an eye to her. He thought the subject deserving of immediate attention, and he, therefore, moved "That a select committee be appointed to inquire into the State of Prisons in Scotland, and into the means of maintaining prisoners confined therein under criminal warrants; and to report their observations thereupon to the House."

Mr. *Hume* said, he rose to second the motion of the learned lord with pleasure, because it was a disgrace to Scotland that such a system should have been allowed to continue so long. The only reason he could assign for its continuance was, that the prisons were in general empty, and the number of prisoners so few, that their condition excited little attention. The learned lord would do great good by inquiry.

Mr. Secretary *Peel* said, that it would be highly convenient if the smaller jurisdictions of Scotland would agree to unite, six or seven of them together, in the erection of one large and convenient gaol. The more extensive a gaol was, the more certain it was to be well managed; both because it could afford to pay proper officers, and because public curiosity was excited, and it was sure to be visited more constantly than a small one. To maintain a sufficient and well-disciplined gaol for each of the small burghs in Scotland was impossible. He did not wish to mix their jurisdictions; but merely that they should build a gaol in common, which all alike should be entitled to the occupation of. Last year he had brought in a bill to enable local jurisdictions to compound with counties for the support of their prisoners. To attempt by any other means to obtain a good government of prisoners, was altogether hopeless.

Leave was given to bring in the bill.

FIRST-FRUITS IN IRELAND.] Sir *John Newport* rose to call the attention of the House to the state of the First-Fruits Fund in Ireland, with a view to improve and render it more effectual. The right hon. baronet then proceeded to give a history of the establishment of this fund, and of the uses to which it was intended to be applied. The act of queen Anne declared that the first-fruits were to be appropriated to the purposes of building and repairing churches, providing glebes wherever they were wanting, and also for the more liberal support of the clergy. At the period when this fund was formed, there was also collected in Ireland, from the different benefices, one-twentieth, and from the different benefices in England, one-tenth of their valuation, which were to be applied to the same purposes. The valuation of that period, with respect to Ireland, had remained the same ever since, although it was manifest, that the real value of livings must have been greatly increased. The consequence was, that the sums which the clergy ought really to pay for the building and repair of churches were obliged to be supplied by the state at large. In the act of parliament which related to England, a clause was inserted, with respect to the propriety of having new valuations, at particular periods, which had not found its way into the Irish statute on the same subject; the consequence of which was, that no new valuation had been made in that country. Now, it appeared to him quite evident, that, from time to time, as the value of the living increased, the amount of the first-fruit should be increased also. This was a deduction perfectly clear in his mind; because it was a grant of the property of the Crown, made by the Crown for the better support of the church and of the church establishment, and not for the private benefit of individuals. He believed that one-fourth of these benefices in Ireland had not been valued at all; and that of those which had been valued, the valuation was not, at the present day, a just and efficient one. He begged the House to attend while he pointed out the difference between the valuation of the benefices in the English and Irish church. During seven years, ending with the year 1824, the archbishoprics and bishoprics of Ireland contributed 910*l.* to the first-fruits during the same period, the archbishoprics and bishoprics of England, yielded to the first-fruits fund, 5,419*l.*, independent of the sum of 8,821*l.* which was the produce of the twentieths. It should be observed, that the collection of one-twentieth on the valuation of the Irish benefices had been long since removed; and therefore they were more able to pay an additional sum to the first-fruits fund. Here, however, it appeared that in seven years the Irish livings paid only 910*l.*, while those of England paid, under the two heads he had mentioned 14,240*l.* Since he had last addressed the House on this subject, the tithe-composition act had taken effect in many places in Ireland; and the proceedings under that act proved how different, in point of fact, was the existing valuation by which the contribution to the first-fruits fund was regulated, and what the livings really were worth. In the diocess of Cloyne, 95 livings were valued at 258*l.* 12*s.*, and 25 of these 95 had compounded for their tithes. Could the House imagine for what sum they compounded? That composition produced no less than 10,580*l.* A very large sum, not less than 600,000*l.*, sufficient to meet every object for which these first-fruits were intended, was thus diverted from its legitimate channel. Was it to be allowed that the clergy should put so much wealth into their pockets, when it ought to be applied, as a royal bounty, to the building and repairing of churches? Were the first-fruits to be permitted to remain thus unproductive, while the Roman Catholic peasantry were obliged to contribute to the repairing and building of places of worship which they did not attend? When the Crown expressly said, "this fund shall be appropriated to certain purposes," it was highly fitting that the intention of the Crown should be strictly observed. It could not be doubted, that if this property had remained in the hands of the Crown, the Crown could have commanded a valuation at any time; and was parliament, because the Crown had divested itself of its right for the benefit of the church, to allow its gift to remain unproductive, so far as the object of the Crown was concerned? Primate Boulter, shortly after his arrival in Ireland, wrote to the archbishop of Canterbury, stating that he hoped to induce his brethren to consent to a larger payment on account of these first-fruits. Primate Boulter thought it right that the clergy should make their own especial fund productive, before they called on the state to assist them in building and repairing churches. His proposition was, however, ungraciously received, and produced no good effect. An effort was made, early in his late majesty's reign, to institute an inquiry as to the best means of making those first-fruits more productive; but, perhaps, from the same causes that operated against Primate Boulter's attempt, it also was dropped and thrown aside. The state was now from time to time called on to make grants, which he contended ought to be defrayed out of these first-fruits. The bishops lands and glebe-lands in Ireland, amounted to no less than 700,000 acres, mostly plantation acres, which was nearly equal to 1,000,000 of English acres; but the produce to the first-fruits fund was, as he had shown, scarcely any thing. He would very briefly show, from a return which had been laid before the House, the difference of the produce of the first-fruits in England and Ireland. The livings within the jurisdiction of the primate of Ireland yielded 400*l.*, while the see of Canterbury produced 2,680*l.* The diocess of Clogher, which was worth at least 10,000*l.* a-year, paid 350*l.* To make the matter short, the entire of the archbishoprics and bishoprics in Ireland were valued at 3,177*l.*, while the archbishoprics and bishoprics in England were valued, for the first-fruits only, at 21,325*l.* exclusive of the valuation for their tenths, amounting to 8,861*l.* Under these circumstances, he certainly should place on the Journals —if he could not succeed in carrying it —a resolution, commencing with a statement of what the nature of the first-fruits fund was—pointing out the manner in which queen Anne intended they should be applied—showing that it was nothing more than just and equitable that grants made by the Crown for specific objects ought to be rendered efficient for the purpose of those objects—declaring that the House would no longer allow grants to be charged on particular classes of people, by parochial taxation, or on the great body of the nation, by parliamentary votes, for purposes that ought to be met by the first-fruits fund—and calling for a committee to inquire into the whole subject, and to report its opinion thereon to the House.—The right hon. baronet concluded by moving,

1. "That the First-Fruits, or Annates, being the first yearly income of every ecclesiastical dignity or benefice in Ireland, became at the Reformation, together with the twentieth parts, or twelve pence in the pound, payable annually, a part of the revenue of the Crown, as head of the church, and continued annexed to the royal revenues until the year 1710:

"That her majesty queen Anne did, in that year, as a special act of grace and favour to the established church of Ireland, by letters patent, confirmed by authority of parliament, vest in trustees and commissioners the produce of the revenue of first-fruits, for the purposes of building and repairing churches, for the purchase of glebes were wanting, and of impropriations wherever the benefice was not sufficient for the liberal maintenance of the clergy having cure of souls; and did at the same time absolutely release them from the payment of the aforesaid twentieth parts, although a corresponding payment was retained by the queen, and still remains payable by the clergy of England out of their dignities and benefices:

"That it appears, from returns laid before this House, that, in seven years ending 1824, the archbishoprics and bishoprics contributed to the first-fruit fund of Ireland the sum of 910*l.* 10*s.* 11*d.*; and that those of England, in the like period, paid for first-fruits 5,419*l.* 9*s.* 10*d.*, and for the twentieth parts 8,851*l.* 4*s.* 6*d.* making in the whole 14,270*l.*, and upwards:

"That the gross amount of the entire first-fruit fund of Ireland, thus vested in trust for these great and salutary objects connected with the ecclesiastical establishment, during ten years, ending January 1821, amounted to 3,752*l.*, from which 827*l.* were deducted for salaries and incidents:

"That 467, being nearly one third part of the dignities and benefices of Ireland, have never been rated or valued for payment of first-fruits, and 366 more, from the low rate at which they were valued in an early period, do not contribute to the fund, and that the whole of the archbishoprics and bishoprics of Ireland are estimated, with the other ecclesiastical dignities, in that early valuation, as being of 4,427*l.* annual value:

"That it appears just and equitable that this branch of royal revenue, liberally appropriated by the Crown for salutary objects, specially connected with the maintenance of the church of Ireland (at the same time that a great remission of burthens affecting the clergy thereof was granted by the royal munificence), should be rendered actually efficient for the attainment of the valuable purposes for which the grant was made, and that the deficiency created by this inadequate valuation should be no longer supplied by the imposition of additional charge on the body of the people by parochial taxation, or on the funds of the United Kingdom by parliamentary grant."

2. "That it be referred to a select committee to consider whether any and what legislative measures may be necessary to effect these just and salutary objects; and that they do report their observations and opinion thereupon to the House."

The first resolution being put from the chair,

Mr. *Goulburn* said, that, as this question had already been under discussion four different times, he might perhaps be excused, if he abstained altogether from following the right hon. baronet through the course of argument which he had thought proper to pursue, and trust to the opinions which the House had formerly expressed upon the subject. The principle upon which the right hon. baronet wished to act would involve the interests not only of the clergy of Ireland and England, but also the interests of many other orders of the state. The principle upon which the right hon. baronet wished to act was this, that the clergy of Ireland should be obliged to build and repair all the churches in that country, out of the incomes which they received as a reward for the discharge of their sacred duties. The right hon. baronet stated, that the archbishops of Ireland did not pay an equal portion of first-fruits with those of England; and therefore he proposed going into a committee to throw back upon the Irish clergy a burthen which ought always to be borne by the public at large. He could consider the resolutions of the right hon. baronet in no other light than as an attack upon the established church [hear, hear!]. He repeated, that he could look upon the resolutions in no other light than as an attack upon the established church; and he should make it appear, before he sat down, that it was so. He should first point out the inaccuracy of the right hon. baronet's facts; and secondly, he should show the incorrectness of his law; and after this, he would leave it to the House to form their own conclusions. And first, if the right hon. baronet meant to say that the pope (for it was necessary to go back to the origin of these first-fruits)—if the right hon. baronet meant to say that the pope ever exacted first-fruits upon the full value of benefices, he was greatly mistaken. On the contrary, if he turned to the law authorities, he would see, that even at the time of the most extravagant demands of his holiness, the valuation was taken only upon one half, and that even then it was considered a great grievance. The same argument held good when the first-fruits became vested in the Crown; and if the right hon. baronet entertained a contrary opinion, he would find himself unable to support it. Again, the right hon. baronet was incorrect as to his law. And here he had to regret the absence of his right hon. friend, the attorney-general for Ireland, who had on a former occasion so clearly demonstrated to the House, the fallacy of the right hon. baronet's arguments, and had proved to their satisfaction, that the statute of Henry 8th did not bear the construction put upon it by him. His right hon. and learned friend had clearly shewn, that the valuation at that time was taken upon such fair composition as might be agreed upon by the parties. the 28th chapter of the act of Henry 8th made special provision, that the valuation should be made strictly in this way. One clause directed, that the chancellor, the master of the Rolls, and the lord treasurer, should be enabled to regulate and compound the first-fruits, and should search out and determine the true and proper valuation upon which they ought to be paid. He did not wish to fatigue the House by going through the whole clause of the act, but it was sufficient for his argument to show that such was its intendment. By the 26th of Henry the 8th, it was provided, that the pope should compound for the first-fruits; and if the pope refused to do so, then the king was to take the first-fruits into his own hands, and arrange a fair and equitable composition. He was aware that a subsequent statute had been passed with a view to the tenths; but that appointed a committee to inquire into the details in the different parts of the country, and was, in principle, totally different from the other. If he was correct in his opinions upon this subject, then the right hon. baronet must be mistaken in his statement relative to the first-fruits; and if it appeared that the statute of Henry the 8th had no reference to a new valuation, then there was at once an end to the right hon. baronet's argument. The plain question for the consideration of the House was this—Were they now to adopt a new valuation of those first-fruits; or, in other words, was the House in a situation to say that the incomes of the clergy ought to be taxed, for the purpose of building and repairing all the churches in Ireland? He could never allow it to be said, that the churches were erected more for the benefit of the clergy than of the community; and it being admitted, on all hands, that churches were necessary, were they to be built by the clergy only, or by the community at large? The right hon. baronet had adverted to the difference between present and former valuations in particular instances. He admitted that the valuation of first-fruits had been fixed by the statute of Henry 8th, and that they had gone on for a period of nearly three hundred years at that valuation, without any alteration either in England or in Ireland. But he would ask the right hon. baronet, were there no other changes which would, upon his principle, make similar alterations necessary? Did there exist no feudal tenures in Ireland which might be altered upon grounds as plausible? Could he carry into effect his proposed project without making a similar alteration with respect to head rents? And then the right hon. baronet had pointed out the difference between English and Irish first-fruits. No doubt that difference did exist. Tenths had been levied in England, while only twentieths had been called for in Ireland. It should be remembered, however, that at that period Ireland was considered to be entitled to particular indulgence, and that indulgence was further shewn by taking off the twentieths in Ireland, while the tenths were continued in England. But when the right hon. baronet talked of these differences between English and Irish sees, he proved too much; for as great, if not a greater difference, could be shewn between English sees, as compared with each other. He would instance those of St. Asaph's, Chester, and Bangor, in illustration of his argument. If the impropriety of granting money by parliament, for the purpose of building churches were to be made a ground for adopting the course proposed by the right hon. baronet, what protection had the English clergy against being called upon to build and repair the English churches? For himself he repeated, that he never could allow it to be said, that churches were built more for the benefit of the clergy than of the public at large. Religion was the duty and the comfort as well of the poorest peasant, as of the highest order of clergy; and that which was equally the duty and the comfort of all ought to be equally paid for by all. But the right hon. baronet would provide places of religious worship for all, by imposing a heavy tax upon one branch of the community; namely, the clergy. As well might he urge that public officers ought to build all the public offices, that soldiers ought to build the barracks in which they live, or that any other class of persons ought to erect the establishments in which they were engaged. If the House should come to the determination of adopting the resolution of the right hon. baronet, it would lower itself in the eyes of the public. He should resist the motion in whatever shape it might be brought forward, as he never would consent to burthen the clergy with the erection and repair of all the churches of the empire. To attempt to load them in this way was most unjust in itself, and contrary both to the letter and the spirit of the law; and in the case of Ireland, the effect would be so to reduce the incomes of the clergy, as to render them unable to discharge their high and sacred functions.

Mr. *Spring Rice* complained of the mode of argument taken up by the opposers of the motion, and observed, that in reference to what were called the usurpations of the older times, no notice was taken of the usurpations by the clergy of those divisions of the tithes which were appropriated to the building and repair of the churches, and the entire maintenance of the clergy.

Mr. *Dawson* said, that the proposition of the right hon. baronet was equally opposed by law and by justice. He had read over the statutes, and, though he did not presume upon giving a competent opinion, it appeared to him that they bore no construction like that put upon them by the right hon. baronet. It was never the intention of the legislature to impose frequent valuations of livings upon the clergy. There had, in fact, been no more than four valuations of livings from the time of Henry 8th down to that hour; and all those valuations were of livings which had never been valued before. The commission in the reign of Henry 8th related only to a small portion of Ireland; that under Elizabeth included merely livings not before valued; that in the reign of James was made under similar circumstances; and that under Charles was occasioned by certain livings having previously escaped valuation. The commission in the time of James 1st contained positive directions not to touch the livings which were valued before, and not to go to the full valuation of any livings. There was no question but that the right to the first-fruits was the settled possession of the Crown, and being then so settled, it was equally plain from those instructions, that the king only wished to have the sums fixed which were to be paid into the Exchequer, and that those were to be the sums to be paid in from that time for ever after. Moreover a great portion of the livings at the time of the valuations taken under queen Elizabeth were under 6*l.* value, and those were excepted by law from valuation. It would be a hard measure of justice, indeed, because they had considerably improved, to endeavour now to lessen their productiveness. The motion was founded in injustice. But, if it had justice on its side, it must be as applicable to the property of the English as of the Irish church. There was nothing in the question of the first-fruits of one church which was not as applicable to the first-fruits of the other. It would not be possible, however, for any member of that House to proceed in the same manner against the property of the English church; and yet he thought that, if any distinction were to be allowed, it would rather encourage interference with the English than with the Irish church. By the statute passed in the 26th of Henry 8th, not only the first-fruits of rectories, deaneries, bishoprics, were granted to the king, but likewise the first-fruits of all abbeys, monasteries, and hospitals; for the act for the destruction of monasteries did not pass until two years afterwards. It was well known that lands, which were then held by ecclesiastical bodies of the latter description, were now in the hands of lay persons; so that the measure, if adopted, might reach to them. Should the resolutions pass, many persons in Ireland, who had impropriated lands, would be subject to have them valued. Now, he was persuaded that the House would never consent to such injustice. Before he sat down, he begged to bear his testimony to the conduct of the clergy of Ireland. No body of men could have conducted themselves, on all occasions, with more honour, more liberality, and more Christian charity towards all mankind. He had not heard of any thing on this subject which had laid the foundation for inquiry; and for this reason, he was not prepared to give the motion his support.

Mr. *Lockhart* said, he had expected the right hon. baronet to make out a very strong case, and was now prepared to acknowledge, that, from the weight of argument on the other side, he felt convinced that the proposition could not be adopted. Why should they seek for a principle to justify them in that which was on every side called the usurpation of the pope? If the pope had usurped any portion of the property of the church, like that of the first-fruits, the Crown did right in resuming it; but then it ought to be given back to the church. It was upon this feeling that the Crown seemed to have acted. Unquestionably, the rightful possession of that property, after the resumption, was in the Crown. Henry 8th had given up a part of it to laymen, from whom it could not be reclaimed; and the right of the Crown to the remainder had been qualified by the sovereigns who came after him, until it had been settled on its present footing. It would indeed, be taking a heavy stride now to revive the claim of the Crown to the utmost amount of valuations to be taken in the present day. Reference had been made by the hon. member for Limerick, to what he called other usurpations by the clergy upon the four-fold division of the tithes. But then the law and the circumstances of society had materially altered. The poor were entitled to the fourth of the tithes; and he was aware that the statute of Richard 2nd sought to secure the appropriation of the fourth part to that object; but the law had long since fallen into disuse. The poor were maintained by the poor-rates; with the payments of which the agricultural property and the tithes were mainly chargeable. But, if the law had not fallen into disuse by this method, the claim of the poor to the fourth must have been void; because the Reformation brought with it to the clergy the right of marrying; and that implied, ex necessitate rei, the duty of providing for their families. Upon the whole, therefore, he could not think it safe to entertain this proposition.

Mr. *Hume* said, that the two honourable Secretaries had not argued this question with their usual candour. The one had contended that the motion was consistent with neither law nor justice, and the other had endeavoured to lead the House away, by calling its attention to the danger to which the resolutions exposed every other species of property. Now, he could remember when it was asserted in that House, that every question should stand by itself, and upon its own peculiar merits; and that no other should be decided by it, unless the circumstances were precisely similar. Now, nothing could be more unlike than the circumstances of the two churches of England and Ireland. It was not for him to decide whether Henry 8th was legally entitled to act as he had done, and to appropriate ecclesiastical property at the Reformation, but certain it was, that the practice of the country had confirmed him in the possession of it. He gave portions of it to laymen, whose representatives still retained it; and other portions to the church, which derived its title only from the donor. The question, then, reduced itself to this —Did any subsequent sovereign of this country, queen Anne for instance, relinquish what she was entitled to in this respect, as far as regarded Ireland, for certain purposes, or did she not? Now, that queen gave up her claim to first-fruits and twentieths in Ireland, for the express purpose that the money should be applied to the erection and repair of churches. He asked, then, whether it had been so applied, or whether it had not? The answer was, that to the extent to which the collection had been made, the money had been so applied; but the point in dispute was, whether there existed a right to re-value the livings, in order to ascertain the true amount of the first-fruits?—The clerk of the first-fruits had authority by his patent, according to the opinion of respectable counsel, to value the livings at different times; and they had, in point of fact, been valued at five or six different times. But then the right hon. Secretary for Ireland talked of the injustice of thus trenching on the church property; but, if the church had been provided with funds for the building and repair of churches, and the clergy instead of applying them to that purpose had applied them to their own use, it was perfectly consistent both with law and justice to resume these funds, and to apply them to the purposes for which they were originally intended. This was said to be an attack on the property of the church. If it was, it was a just attack: for if the money destined for the building and repair of churches was withheld and used for the benefit of the clergy, it was strictly just so far to attack church property as to turn a portion of it from an improper to a proper purpose. There was no danger to any other kind of property from this proceeding. It was said, that the same principle would apply to church of England property. If it did, then church of England property ought to be dealt with accordingly. But, to say that this would endanger his, or any other gentleman's private property, was a preposterous proposition. It was only a proof that the right hon. Secretary had no good argument when he resorted to this method of endeavouring to create an alarm for property, to which the principle had no just application. His speech was merely an attempt to protect the church property of Ireland, and to continue and uphold the abuses to which it was at present subject. It was certainly true, and he was happy to have it to say, that he believed, within the last three or four years, the character of the Irish church had been considerably improved. He was happy to have it in his power to bear testimony to this improvement. But if it had improved, the public had not to thank the clergy for it. It was owing to the motions and discussions in that House, and the public sensation excited in consequence; and that was the only way of producing improvement where the law could not be brought directly to bear upon abuses. But a great deal more must be done, before the church of Ireland would be on the footing on which it ought to be placed. Then it was said, that soldiers might as well be called upon to maintain their barracks, or government officers their houses of office, as the clergy to maintain their respective churches. It was not contended that the clergy were bound to maintain the church. Nothing more was asked, than that a certain fund, designed for a special purpose, should be made available for that purpose. If you are obliged to tax the country, poor as well as rich, for the rebuilding and repair of churches, surely you ought to wait until you have exhausted all those just and appropriate resources. Did the right hon. Secretary really mean to say that there was any reasonable comparison between this case and that of soldiers with their barracks, or that of officers of state with their government houses? Was any part of the pay of soldiers given them for the purpose of building or repairing barracks, or was any part of the salaries of government officers given them for the building and repair of government houses? If so, the Irish Secretary ought to pay for building and repairing his office; the chancellor of the Exchequer ought to pay for building and repairing the Treasury; and the right hon. President of the Board of Trade ought to pay for the new buildings now going on. He presumed they did not pay; and for the very good reason, that they received no allowance for that purpose. The gentlemen opposite had evinced a wise and liberal policy in correcting many mistakes and abuses in other cases; and he hoped the time was not far distant when the Irish church would be made to correct many of its abuses, and to apply the funds in its possession to their proper destination. The right hon. Secretary had contended, that there was no law to compel the valuation of the livings. But he had in his hand the opinion of a respectable counsellor, Mr. Allan, that by the words of the patent, the patentee had the right to re-value the livings at any time; and that learned counsellor concluded, that the present patentee was empowered to re-value all the livings whose value had not been fixed by statute. But then it was answered, that the opinions of the Crown law-officers were opposed to this, and that they had declared that the patent was not under the great seal, under the act. It was true, the Crown lawyers had so declared; and it had been further stated, on the part of government, that if the patentee persisted in bringing the question before a court of law, his patent, being held only during pleasure, would be revoked. Thus the patentee was deterred, by what might be considered as a threat, from bringing the question before a competent jurisdiction. The patentee's conduct in the transaction certainly did him high credit. He could not say so much for the conduct of the right hon. gentleman and his co-secretary. It would have been much better if they had acted upon the advice of Mr. Allan; who further stated, after seeing the opinions against him, that the Crown officers agreed with him that the power of re-valuing was in the Crown; and if so, there could not be a better opportunity than the present for exercising that power; for he was certain that there never was a case so clear and satisfactory as that which had been laid before the House that night, by the right hon. baronet. It was deeply to be regretted that the same liberal line of policy which had marked the proceedings of his majesty's ministers on other occasions, was not visible on the present. The thanks of the House were due to the perseverance and public spirit of the right hon. mover of the question. The subject, however it might be now disposed of, would sooner or later be attended to by his majesty's government, and he had no doubt but that success would ultimately crown his exertions.

Sir *R. H. Inglis* objected to the statement of the right hon. mover, that the church lands of Ireland amounted to 700,000 acres; but admitting that amount to be correct, the right hon. baronet must be aware that the greater part of that land was held under long leases, sometimes of fifty, sixty, or a hundred years. His sentiments on the present question had been so fully anticipated by his right hon. friend the secretary for Ireland, and so clearly and eloquently stated by him, that he would add nothing in support of those observations, but should content himself with saying, that he entirely concurred in the view which his right hon. friend had taken of the subject.

Sir *J. Newport* said, in reply, that the question came to this simple point—whether a certain revenue given by the Crown to the church for a specific purpose, was to be rendered available for the purpose for which it was intended, or the people were to be taxed by annual rates to supply, not the deficiencies, but the place of that fund? The right hon. Secretary had put himself completely out of court by the steps which he had taken, in refusing to allow the question to be brought to a regular trial, and threatening the proper officer with the loss of his patent, in case he persisted in that course. The hon. baronet who spoke last imagined that he had forgotten that a great proportion of the Irish livings had not been valued at all. Why, he knew it perfectly well. He knew that 1,535 livings had been valued, and that of these alone a thousand had not then contributed, as being under the value of 5*l.* But 944 parishes had never been valued at all; and did the hon. baronet mean to say that they ought never to be valued? Primate Boulter had called upon the church to contribute to the purposes which he now had in view; but he had stated in his letter, that he very much doubted whether his brethren would concur with him on the subject. They did not concur with him; and there the matter dropped. The right hon. Secretary professed his attachment to the church. He could assure the right hon. gentleman, that he was as warmly and as faithfully attached to the established church as he could be. The only diversity in their sentiments consisted in their different modes of showing them. He evinced his anxiety for the interests of the church, by exerting himself to correct the abuses which had crept into its management; while the right hon. gentleman opposite endeavoured to show the sincerity of his professions, by countenancing those who were guilty of such abuses, and who perverted to purposes of private emolument the funds appropriated by the bounty of the Crown, to the objects of religion. The lengths to which this perversion of the royal bounty had been carried were monstrous. Out of the mismanagement and neglect of their livings by the clergy arose the necessity of uniting parishes; and thus many who were entitled to receive the benefits of religion were removed beyond the reach of the church. The clergy in Ireland suffered their churches to fall into decay, and then called upon the body of the people (who, be it observed, were of a different persuasion) to rebuild them. Thus was the royal bounty perverted from the purposes to which it was destined. He had been taunted by the right hon. Secretary, that the present was the fourth time he had been called upon to answer him on this subject. He believed the right hon. gentleman somewhat overrated the reality; but he was not at all averse to have it stated, that this was the fourth time he had called for some satisfactory information on this head; and he assured the right hon. gentleman, that as long as he had a seat in that House, he would continue to bring the subject under the consideration of the legislature. He would still endeavour to protect the public against the usurpation of their rights and their property. He had been long enough in that House to know, that his perseverance, in many instances, had led to the results which he wished to accomplish; and that, although he did not succeed in carrying the measures on his own motion, the right hon. and honourable gentlemen opposite, who had been vehement in their reprobation of them, afterwards took them up, and brought them to perfection. He was not, therefore, ashamed of his perseverance in the present instance. It was for those to be ashamed who did not do their duty. He hoped that truth would still prevail; and that those who now stigmatised his endeavours would ultimately adopt them. He would renew his remonstrances, until he should succeed in convincing the House, as he believed he had already convinced the public, that his proposition ought to be adopted.

The House divided: For the Resolution 21; Against it 48; Majority 27.

List of the Minority.

Abercromby, hon. J.
Calcraft, J.
Fitzgerald, M.
Grattan, J.
Gordon, R.
Griffith, J. W.
Hamilton, lord A.
Hutchinson, hon. C.
Hume, J.
Milton, visc.
Martin, J.
Marjoribanks, S.
Ord, W.
Palmer, C. F.
Philips, G.
Robinson, sir G.
Rice, T. S.
Smith, J.
Sebright, sir J.
Tierney, rt. hon. G.
Whitmore, W.

TELLER,

Newport, sir J.

The second resolution was negatived without a division.

Charing Cross Improvement Bill.] Mr. *Arbuthnot*, in rising to move for leave to bring in a bill for making several Improvements in the neighbourhood of Charing-cross and the Strand, said, that, before he entered into any statements connected with those improvements, he felt it necessary to state, that those which he should propose would be carried into effect by the same architect whose designs in the formation of Regent-street had received such deserved commendation from the public; he meant Mr. Nash. It was almost impossible for him to give the House a correct detail of the proposed improvements, without maps or plans being before them, and therefore he hoped for their indulgence while he detailed, as well as he could, what was intended to be done. In the first place, he must state, that, should the House consent to the project, it was intended to purchase that tract of ground which joined to the present King's-mews at Charing-cross, and extended to St. Martin's-lane; and also it would be necessary to have power to purchase the whole of that tract on the east side of St. Martin's-lane, which was bounded on the north by Chandos-street, on the south by the Strand, and which terminated in the eastern point at Castle-court, near to Bedford-street. The effect of this alteration would be not merely to embellish and adorn the metropolis, but to create a more convenient communication between the east and west ends of the town. He should now endeavour to explain the mode in which it was intended to carry the plan into execution. If permission should be granted to purchase that tract of buildings between St. Martin's-lane and the Mews, it was contemplated, that a large splendid quadrangle should be erected, the west side of which would be formed by the College of Physicians and the Union Club house; the east side would correspond with that already existing; namely, the grand portico of St. Martin's church; and on the northern side a new line of buildings would be erected; the effect of which arrangement would be to throw open to those in Pall Mall a full view of the magnificent portico of the church. He could certainly wish that this quadrangle should contain a Gallery for our national paintings and statues. If such a plan were executed, the statues and paintings would be much more easy of access than at the Museum, whilst, at the same time, they might remain under the guardianship of the trustees of the British Museum. It was also in contemplation that a Royal Academy should be built in the centre of the quadrangle; but it was the general opinion that it would be preferable to leave it an open space. He mentioned this, as the point was yet undecided, and would be left for the consideration of the House. The south side of the quadrangle would be open to Charing-cross, giving a view of Parliament-street and Whitehall. The extent of it would be 500 feet from the statue at Charing-cross to the present stables. Its extent on the other sides would be made to correspond as nearly as possible. The reason why it was proposed to carry on the improvement to Bedford-street was, that the Strand up to that part might be widened from its present width, 35 feet, to nearly 60 feet. The narrow passage in this part between Charing-cross and Bedford-street was a source of great inconvenience to all persons going from the west, and to the city; and in this respect he had no doubt that the new plan would meet with general approbation. At present, all the stage and mail coaches, coming from Piccadilly to the east end of the city, and returning from thence to the west, were obliged to come down by Charing-cross, and pass through this narrow gut, as he might call the space between Charing-cross and Bedford-street; so that, by the crowd of vehicles of all descriptions, there was sometimes a stoppage which often interrupted for a considerable time the communication between one end of the metropolis and the other. Should the House approve of his proposition, the whole of this inconvenience would be avoided. Persons going to the city from, and returning to, the west end, would have access, not only by the widened carriage way of this part of the Strand, but also by new carriage ways running parallel. There would be an additional carriage-way across the upper part of the quadrangle into a street on the south side of St. Martin's church, which would run diagonally into the Strand, towards the end of Villiers-street; so that a great part of the crowd at present entering the Strand by Charing-cross would be avoided. But this would not be all. The means would likewise exist of forming another street from Leicester-square, by Hemming's-row and Chandos-street, which would fall into the Strand by Bedford-street. This would be the least wide of the three communications; but still it would give a great additional convenience, and, by taking off part of the throng of carriages that would otherwise have access to the Strand only by Charing-cross, would very much relieve that part from the crowd which daily pressed along it. Thus there would be three carriage entrances from the western parts of the metropolis into the Strand. That from Leicester-square, by Hemming's-row and Chandos-street, falling in near Bedford-street; that by the south-west side of St. Martin's-church; and that along the widened end of the Strand itself. These would not only produce a great benefit to the metropolis in the way of free communication from one end to the other, but would also have the advantage of getting rid of a vast number of bad and unsightly houses, which were at present crowded together in the vicinity of St. Martin's-church, which would add considerably to the beauty of that part of the metropolis.—He would now say a word as to the expense which would be incurred by these improvements; and no doubt it would be satisfactory to the House to learn, that, unless the building of a Royal Academy or National gallery in the site to which he had already alluded should be determined on (in which case it would be necessary to come to the House for a grant), he should not have to apply to the House for a shilling. He would not at that moment enter into the details of the means by which it was intended to carry these plans into effect. It would be sufficient to state generally, that, by the exchange of Crown lands in some instances, and the sale of them in others, the department with which he was connected would be enabled to meet the greatest part of the expense. It would, however, be necessary, should the House approve of his plan, that in the bill which he would introduce, power should be given to borrow a sum of money on mortgage of a part of the new street; but, this it should be observed, would be only a continuation of the powers of an act already passed for the erection of the buildings in Regent-street. Looking at the whole of what he had detailed as one plan, he could not anticipate any objection to it, as a general measure. It was, he thought, highly desirable to get rid of the unsightly appearance which would be presented, by allowing some of the houses in the neighbourhood of Charing-cross to remain as they now stood. If the House should disapprove of carrying the alterations to the extent that he had proposed, why then it would be necessary to have the intended quadrangle on a much smaller scale. He thought, however, that such an opportunity as the present ought not to be lost; for such another might never present itself of making those desirable improvements. Looking to the probable result of this plan, the House, in order to form its judgment, might be glad to learn what was the result, as to expense, of the splendid undertaking—the building of Regent-street. That, it should be remembered, was undertaken in a time of war; and such as it now was, he did not believe that it was regretted by one man in the country. Taking the expense of that, and the opening to the Regent's-park, in the purchase of good-will of premises, and in the awards given by juries, the result was, that, while a great part of the Crown land was improved, and an interest created which did not exist before, the interest on the whole of the sum laid out produced within a fraction of three per cent. He did not say that the expense of the improvements now proposed would be as great; but, for the space to be acquired, they would be comparatively greater; for, in the former case, there was erected on the site of the houses pulled down, a continuity of buildings which were now productive; but a great part of the site of the houses now to be removed would remain unoccupied, and would of course produce no return for the sum laid out; but, making allowance for this unproductive space, he did expect that an interest of 2¾ per cent would be returned on the money expended. This, considering the great advantage to be derived from the more open communication between the two quarters of the metropolis, and the splendor of forming such a magnificent quadrangle, would be a fair return. But the ornament of the proposed quadrangle, would not be its only advantage. The leaving such an open space in a neighbourhood so thickly surrounded with buildings would be a great benefit, by contributing to the health of the inhabitants of the vicinity. He would now move, that the bill, if the House consented to its introduction, should be read a first time that night, and a second time to-morrow; and that it should be printed, and referred to a committee up stairs, to examine the plan, and report whether it could conveniently be carried into effect. The right hon. gentleman concluded by moving for leave to bring in a bill, "To extend to Charing-cross, and places adjacent, the powers of an act for making a more convenient communication between the east and west ends of the metropolis, and to enable the commissioners of land revenues to grant leases of the site of Carlton Palace."

Sir *M. W. Ridley* said, he did not mean to oppose the motion; but merely rose to suggest the propriety of improving that part of the Strand called Exeter Change, which required improvement more than any other. Every person acquainted with that building must have marked the great inconvenience it occasioned to the trade of the metropolis, and he was satisfied that no man could deny that it was a grievous nuisance. When such extensive alterations were about to take place in the very neighbourhood, he put it to the right hon. gentleman, whether he could pass over the obstruction which this building occasioned, and whether it would not be most desirable to introduce such alteration in his intended bill as would have the effect of including it in the purchases about to be made, for the ornament and advantage of the metropolis? Such an alteration would, he was convinced, meet the approbation of parliament and the public. While he was on this subject, he would call the attention of the right hon. gentleman to a letter which had appeared in several morning papers, signed, "An old Inhabitant of Mary-la-Bonne." Every one would acknowledge, that all due precautions should be taken to preserve the trees in those plantations which adorned the park at the northern extremity of the town. But still it appeared to him, that a reasonable care of those plantations was by no means incompatible with the admission of the public to those enjoyments of pure air and exercise in which they had formerly been indulged; and he hoped that those who had the superintendence of the improvements would take the subject into consideration, and adopt some means of laying the park open to the public. Before he sat down, he begged to observe, that the style of building in Regent-street, which had been formed from the plans of that able architect who was to conduct the projected alterations at Charing-cross, deserved his unqualified approbation. There might be some difference of opinion upon particular erections; but, taking it in one view as the principal street of the metropolis, he was convinced there were few who would not confess, that it reflected high honour on the architect, and afforded a satisfactory proof of his taste and judgment.

Mr. *Arbuthnot* said, that he did not disagree with the hon. baronet in his observations respecting Exeter-change; but, as that was the private property of lord Exeter, difficulties would arise in effecting the alteration suggested; for whilst the House were providing for public improvements, they ought to be particularly attentive to private property. He understood, that, as soon as the leases of the property about Exeter Change had run out, it was the intention of lord Exeter to make very great improvements there; and he could assure the House, that if his assistance should be at all required towards the advancement of such improvement, he would gladly co-operate in so laudable an undertaking. He could also assure the hon. baronet, that what had been observed by him respecting the Regent's-park had not escaped his notice. It was, however, a mistake to suppose that the annual rent which government received on account of the herbage of this park was only 100*l.* for, in point of fact, it amounted to 1,800*l.*; but, still this would not at all operate as an inducement with them for excluding the public from the full enjoyment of this park one moment longer than the state of the park itself absolutely required; but at present, although the pasturage was extremely good and luxuriant, the surface of the soil was not in a proper condition to be walked upon; neither had the trees arrived at sufficient maturity to render it safe that the fences which protected them should be thrown down. He hoped that these obstacles would at no distant period be removed, and that the public might then have a free and unrestricted access to all parts of the park; for he felt as sensible as the hon. baronet himself could possibly do, that it was the duty of those who presided over matters of this nature, to prefer the public health and convenience to every other consideration. Before he sat down he would take the liberty of alluding to the very important improvement which had recently been made in Hyde-park; and which must necessarily have afforded the public a most considerable additional accommodation; he did this the more readily, because it had been granted at the express command of his majesty. When he had waited upon his majesty to submit the plans of the new improvements, his majesty had himself pointed out the necessity of widening the carriage-way, for the pleasure and convenience of the public, and had suggested those other alterations which had since been carried into effect.

Mr. *Hume* did not object to any portion of the plans of the right hon. gentleman; all he would say was, that he hoped they would not require any portion of the public money. He was satisfied that the whole could be done by the sale of Crown lands without any other assistance. In the absence of the hon. member for Westminster, who meant to call the attention of the House to the subject, he begged to protest against the continuance of any barracks in the centre of Westminster. Every person in the neighbourhood considered those barracks a downright nuisance.

Leave was given to bring in the bill.

Civil Contingencies—Diplomatic Services.] The report of the committee of Supply was brought up. On the resolution, "That 200,000*l.* be granted to his majesty to complete the sum necessary for defraying the charge of civil contingencies for the year 1826,"

Mr. *Hume* said, he could not refrain from entering his protest against charges for diplomatic services. The expense which we were at in this department would appear immense, if contrasted with the expense which other countries incurred in this particular. The embassy at Paris, last year, cost the country no less than 30,000*l.*, a sum equal to the salaries of the whole civil establishment in America. Indeed, England was the most expensive government on the face of the earth, although, from our being so burthened with debt already, we were so little able to bear any superfluous expense. Our expenditure in this department had been increased to four times the sum it amounted to in 1792. He should therefore move, that the following be added to the resolution by way of amendment:—"That it appears by a return (No. 285 of 1822) on the table of this House, that the total charge for his majesty's diplomatic service and consuls abroad, for the year 1792, including special missions, outfit, and equipage extraordinary, and incidental expenses, pensions to retired ministers and consuls, was 113,989*l.*, and that the charge for the same in the eight years, 1818 to 1825, both inclusive, exceeded the sum of 2,500,000*l.*; being an average of these years 313,000*l.* each year.—Resolved, That, in the opinion of this House, it is expedient, in order to relieve the burthens and support the public credit of the country, to lessen the public expenditure by every practicable means consistent with the safety and good faith of government; but that so large an expenditure for the diplomatic service of the country, and in particular in the last year, is at variance with that course, and deserves the censure of this House."

Mr. *Canning* wished to know whether it was the hon. member's object to negative the resolution, or merely to record his opinion that this expenditure was deserving of censure. If the latter, he conceived the hon. member was proceeding in a wholly informal manner.

The *Speaker* observed, that, from the expressions of the hon. gentleman's amendment, he conceived it was not possible for him now to propose it. They were considering the report of a committee which had taken the resolution into its consideration before, and the hon. gentleman would see that they could not introduce into the resolution adopted by that committee, any matter which had not then been submitted to its examination.

Mr. *Hume* said, that as there seemed to be some irregularity in his amendment, he would withdraw it.

The resolution was then agreed to.

HOUSE OF COMMONS.

Wednesday, March 22.

Patent Rights — Petition of C. Broderip, for better Security of.] Lord Palmerston presented a petition from Charles Broderip, esq. of the city of Westminster, setting forth,

"That the petitioner is the author of various inventions and improvements relative to the commercial and naval interests of the empire, the result of much study and expense, and from which he has hitherto derived no benefit, in consequence chiefly of the short duration of the exclusive privilege granted by letters patent, the limited number of persons who are permitted to embark as partners in an invention, and the publicity given to the descriptions thereof; the petitioner begs to state that his inventions are such as require a long period to mature and render profitable, and require a greater capital to bring into extensive operation, than the above limited number of individuals can be found to contribute; also, that the previous publicity of the descriptions might enable other persons to put his inventions into effect in foreign countries before, or as soon as, the petitioner could bring them into operation in the British empire; that the great expense of obtaining letters patent, and the necessity of taking out many patents for any invention which combines several improvements, amount almost to a prohibition of the pursuit of any invention requiring long-continued study, with expensive and laborious experiment; that the French laws relative to inventions offer considerable inducement to their authors, in consequence of the trifling expense of obtaining patents, which amounts only to one-fifth part of the expense in England, and also from the greater security arising from the non-publication of the descriptions which can in no manner be communicated but by the author, or with his consent; great facility is also given in that country to the establishment of companies for the purpose of working such inventions; in the United States of America the property of inventors is also much more secure than in England, and the petitioner hopes that it will not be deemed irregular or improper that he should refer to the message of the president of the United States to Congress on the opening of its present session, in which it is recommended to pass a law for the purpose of giving still greater security and value to inventions in those states, the enacting of which law, the petitioner submits, will be the means of engaging many British authors to give the benefit of their inventions exclusively to the United States, if an alteration is not at the same time made in their favour by parliament, for, in consequence of the publication of inventions in this country, no such author will take out a patent here which might by such disclosure endanger his rights in America; the petitioner submits that an undue prejudice exists against patentees, from a notion that they are monopolists, the only legal provision in their favour having been made upwards of two hundred years since, in the act of king James the 1st against monopolies, and by which the Crown is enabled to grant patents for inventions, but only for the limited term of fourteen years; at the period in question little or no application had been made of science to manufactures in this country, and the inventions then in use were, for the most part, imported from foreign countries, where, having been brought to considerable perfection, they required only capital to render them immediately available and profitable in this country, and the knowledge thereof was common to all British subjects, who, by travel or communication with foreigners, became possessed of it, without the necessity of study, invention, loss of time, or expense; when a few individuals were thus allowed the exclusive privilege of manufacturing such inventions, they might be considered as monopolists, although such monopolies might have been useful for a time; but the petitioner humbly submits, that the first authors of inventions or discoveries can in no case be considered as monopolists, inasmuch as their inventions would not have been discovered but for the peculiar talent and study of such authors, and would even then remain unknown, if not communicated by them to the public; the petitioner humbly submits, that no statute law protects inventors in the British empire, as it is entirely in the pleasure of the Crown to grant even the limited protection of a patent; while, on the contrary, in other countries, it is imperative on their governments so to do; but that ample security and protection is given in this country to every other kind of property, and particularly to that of literary authors and artists, by various acts of parliament passed in the course of the last one hundred and twenty years; also, that it is only within a century that any great application of scientific knowledge has been applied to commerce and manufactures, and that to some of those inventions this country is avowedly indebted for its great wealth and extensive commerce; that inventions of magnitude, such as Mr. Watt's steam-engine, the cotton machinery of Arkwright, and others, and Harrison's time-keeper, have never been brought to profitable use but after several years of labour, study, and expense, and not even then until the patents which had been granted were about to expire, thus leaving the authors of such inventions without remuneration or reward; such, in particular, would have been the case with the three distinguished inventors above named, had not the two first become themselves the manufacturers of their own inventions, and the last individual obtained a parliamentary reward; that the petitioner also submits that no invention of magnitude has ever been effected by persons in the trade or profession to which such invention applies, but always by those of a different profession or occupation; that such inventions require, in general, extensive and various attainments, together with great study and leisure to bring to perfection, circumstances seldom compatible with the employments, education, and habits of practical men; those who possess the requisite qualifications can only be induced to devote themselves to such pursuits by the hope of deriving therefrom those honours and benefits which are attainable in the liberal professions, neither will capitalists furnish the requisite funds for carrying inventions into effect, but with the prospect of gains adequate to the risk; the petitioner humbly submits that scientific authors are not less entitled to consideration and reward than those of literature or the arts, and that their claims are often greater, inasmuch as considerable expense, and even many dangers, are frequently incurred, which the latter pursuits do not require; that the privileges enjoyed by literary authors and artists are principally, 1st, the entire property for twenty-eight years, and for life; 2nd, the right to register their works without material expense; 3rd, the division of such property among an unlimited number of partners; the petitioner therefore humbly prays, that the House will be pleased to take this subject into consideration, and to pass such law or laws as will give to him, in common with other authors of inventions and discoveries, the same rights and security as are now enjoyed by literary authors and artists, or such other relief as to the House shall seem meet."

The noble lord said, that he thought the subject was one which was fairly entitled to the consideration of the House, and hoped that his learned friend, the attorney-general, would adopt the views of the petitioner, and afford some further advantage to the meritorious class of persons to whose interests the petition related.

The *Attorney-General* allowed, that it was of great importance that any defects in the law relating to patent rights should be remedied, and that it was the duty of the House, as far as was consistent with policy and sound reason, to afford every protection and facility of operation to those who devoted their time, their fortune, and their talents, to improvements which were likely to become useful to their country, and beneficial to mankind. He did not, however, agree that all the complaints of the petitioner, in the present instance, could be borne out by the facts, or that patentees laboured under any peculiar disadvantages, as compared with the possessor of copy-rights. One ground of complaint, that relating to the provision against more than six persons being the holders of a patent, had arisen out of the provisions of the 6th Geo. 1., called the Bubble act, and might be removed immediately. The second ground of complaint—that patentees had not a sufficient protection or reward from the present term of fourteen years, to which the exclusive right extended; that they were not in so good a situation as the holders of copy-rights; and that other countries, particularly France, had adopted a better and more equitable system with regard to patentees—seemed to him not supported by the real state of the facts. He had looked into the state of the law with regard to patents in France, and found that patents were granted for five, ten, but never longer than for fifteen years. Now, as the patentee in this country held his exclusive right for fourteen years, it could not be said that there was any great difference upon that point. He could, however, very well understand that there were particular cases in which the term of fourteen years might be found insufficient; such as inventions in which the machinery to be employed was so complicated, the capital required to bring it to perfection so extensive and so much beyond the ordinary calculations of cost, that the time afforded by law might be found scarcely sufficient to bring the work to any kind of perfection; leaving out of the question all views to an adequate remuneration. He admitted that it might be a matter of right and justice to extend the time usually allowed for the protection of patentees in that situation; and he believed that in several instances, parties had actually applied to the House, and obtained by bill such an extension of their exclusive right, as was deemed necessary to afford them that time for remuneration to which the ordinary state of the law was considered inadequate. Now, he preferred that parties should be still left to make these applications in extraordinary cases, and that it should be left to the discretion of the Crown and the legislature, to determine how far they were entitled to any unusual protection. Upon the next point, the expense of obtaining a patent, he allowed that it was matter of proper consideration how far all unnecessary expenses, connected with new inventions, should be so reduced as to form no impediment to the obtaining that reward which they merited; but it was a mistake to suppose that the expense attendant upon taking out a patent was so much more in this country than in others. In France it was about 70*l.*, and here it was about 100*l.*; so that the difference could not be considered as producing any very injurious effect. The petitioner complained that copy-rights were in a better condition than patents. In copy-rights, it should be recollected, that the protection was granted to the individual work, and not to the ideas, inventions, or principles contained in it; but in patents there was a protection for several years, during which they were not called upon to give such a particular description of their invention, as would enable other persons to avail themselves of it for the purpose of imitation. But it was totally different with respect to copy-rights, where any man might pirate the whole or part of a work the very day after it issued from the press, and that, too, with very little difficulty or danger of detection; whereas, if he violated the substance of a patent in any particular, he would be liable to an immediate prosecution. The assertion, therefore, that patentees were not placed on as favourable grounds as authors, seemed to be totally unfounded. He did not, however, mean to say that every protection which might be necessary, ought not to be afforded to works of complicated labour, expensive machinery, or extraordinary outlay of capital; and he agreed with the noble lord, that the subject was of the grreatest importance, and deserved the most earnest consideration of the House.

Mr. *Maberly*, while he admitted in its fullest extent the importance of the subject, could not agree that the protection ought to be held inviolable in every instance to the extent which the patentees considered likely to remunerate them. On the contrary, he believed that, in many cases, patents had a most pernicious effect upon the trade and enterprise of the country, and that improvement had been cramped or wholly stayed by the consequences of their exclusive and inviolable privileges being granted for so long a period. If the cases were submitted to a committee above stairs, he was convinced he should be able to show that the time of the duration of some patents was longer than was necessary for any beneficial purpose.

Ordered to lie on the table.

WELCH MINING COMPANY BILL.] Mr. Peter Moore brought up the report of the committee upon this bill. On moving, that the amendments be now read,

Mr. *Littleton* said, he had a few observations to offer upon this bill. It purposed, as he perceived, to enable the Welch Iron and Coal Company, to sue and be sued in the name of their Secretary. Now, he thought the House should recollect, that if they gave this bill their consent, they at the same time granted a kind of parliamentary sanction and authority to the purposes for which the company had been formed, and to the manner in which they proposed to carry their intentions into execution. Now, as he did not conceive that the House meant to give any such sanction or approbation to the companies which had been applying in this manner for the powers of an act of parliament, he thought the present a very fit opportunity to check such applications in future. He drew a very great distinction between companies formed to do what nothing but great companies could do—such as working the mines containing precious minerals in other countries, and various other undertakings, which required the hazard of immense capital, without the fear of great individual loss—and those companies which were created for undertakings of a mere ordinary description, and which were likely to prove ruinously injurious by competition with meritorious individuals, whose properties were invested in those branches of trade to which they proposed to apply their joint-stock capital and powers. Some of his constituents fearing such consequences from this company, and feeling they could prove it was not likely to be productive of any of the advantages, either to particular districts, or to the country at large, which it promised, had incurred a very serious expense last session in opposing the bill in the committee, and he, finding that the hon. member who was endeavouring to carry it through the House this session, and who had chiefly interested himself in its success, was never, on any occasion, present at that committee, and that there was no probability of the bill being brought in in that session, came down to the House and moved, "That the order for the committee be discharged," and it was discharged accordingly. Seeing no better reasons for the bill this year than he had been able to discover last year, he would now move, "That instead of the amendments being read now, they should be read upon that day six months."

Mr. *Peter Moore*, after explaining the reason for the postponement of the bill, and his absence from the committee, observed that he hoped to be able so to convince the hon. member for Staffordshire of the propriety and importance of the bill, as to induce him to withdraw his opposition to it. The company had purchased mines at a cost of 100,000*l.*; they had expended 100,000*l.* more in machinery and preparations for working them; and they would probably lay out 2 or 300,000*l.* more in the progress of their operations. They had incurred debts, and they had debtors; and it was for the purpose of legalising their actions, so as to protect the property they had invested already, as well as to secure the public in all their future contracts, that they now applied for leave to sue and to be sued. In the present state of the law, no man could recover any sum, however small, from the company, without filing a bill in Chancery, containing the names of all the directors, officers, and proprietors; and if any one of them should happen to die before a decision was pronounced, the whole of the proceedings must be commenced anew, with the same formalities. The bill, therefore, was not more a security to the proprietors than an accommodation to the public; and as there had not been a more respectable body of men associated together for half a century, he trusted the hon. member would see the propriety of withdrawing his opposition.

Colonel *Wood* hoped, that his hon. friend would not be induced to relax in his opposition to the bill. Every body who knew the mining counties of Wales, knew that this company was not at all necessary. Instead of there not being enough, there was too much iron there, and the great evil of this bill would be, that it would increase the competition to a mischievous extent.

Colonel *Davies* said, that the reasons given by the two hon. members for their opposition was very extraordinary. They alleged no public grounds. They did not say that it was likely to prove delusive, but they only alleged that it would be opposed to the interests of the iron-masters with whom they were connected, in that part of the country where the bill would be carried into operation. He could not understand why, if such a company were to exist, their creditors was to be deprived of the power which it was now proposed to give them in all legal proceedings; since it was clear that if they had not that power, they would be without any adequate remedy.

Mr. *Stuart Wortley* said, his objection to the bill was, that it gave the sanction of parliament to a company only for the purpose of enabling them to come into the market upon better terms than other persons. Every allegation in the preamble of the bill was false. It alleged, that the prosperity of Wales had been solely owing to mining companies of this sort, which he denied; and he would refuse, therefore, to put them upon a better footing than other individuals.

Mr. *Calcraft* said, that the object of the bill was to raise the price of the company's shares in the market, and not to benefit Wales, or the iron trade. He had always stood up for individuals embarked in trade, against these overwhelming efforts of capital, and he would do so on this occasion. The object of the bill was, he repeated to give additional value to the shares, that they might become objects of gambling speculation.

Mr. *Baring* was afraid that the House was inclined to proceed too hastily on the subject. Last year they passed all bills relating to companies of the most trumpery description, and now they seemed indisposed to pass any which was at all connected with a company. It became the House to be more consistent with their legislation. They ought to decide upon a general principle, and not with reference to the merits of particular companies. It was true that the sanction of parliament was, in some instances, sought for the purpose of giving facility to the circulation of shares, and of catching the unwary; but it should be understood, that although parliament should pass a bill to facilitate the operations of the company, and to free it from the inconveniences to which it might be otherwise legally subjected, it by no means pledged itself to an approval of the enterprise in favour of which the bill was required.

Lord *Palmerston* concurred in the opinion, that the passing of the bill in parliament by no means gave a sanction to the objects which the bill proposed to carry into effect. It was only intended by parliament to remedy the imperfections of the law, which would otherwise subject the partners of those companies to great delay and difficulties. A difference should be made between companies which were not proceeded in, and which deserved to be denominated wild speculations, and those which had an actual existence, and on which the shares were either paid, or likely to be paid up.

The *Chancellor of the Exchequer* said, that he knew nothing of the particular company, the bill in favour of which was now before the House. Whether it would be beneficial or not to the principality of Wales, he would not say; but he thought it would have been well, if the parties, before they applied to parliament, had availed themselves of a bill which passed towards the close of the last session. He alluded to an act empowering the king in council to grant limited charters. An opportunity would have then presented itself of discussing the grounds on which this company sought the relief required by this bill. The House had first a right to inquire if the allegations of the parties requiring this relief were true; and, secondly, if true, why they had not first adopted the easy course of applying for the limited charter, which, by the act of last session, the Crown had the power to grant?

Lord *A. Hamilton* said, that joint-stock companies came to that House to obtain bills of the nature of that before the House, in order to gain a character out of doors, and to enable them to sell their shares to advantage. The House ought to proceed with extreme caution on the subject, after the dishonest practices which had been committed by many of the companies who obtained charters last year.

Mr. *Huskisson* said, he was not aware that any notorious bubble companies had obtained sanction from that House. The number of applications made last year for acts of parliament, on the part of joint-stock companies, first called the attention of the House to the subject, and they almost came to a resolution not to entertain, as a matter of course, an application from any number of persons associated in partnership for permission to sue and be sued through their secretary. Towards the close of last year, parliament made an alteration in the act of Geo. 1st, the effect of which was to enable the Crown to grant limited charters to joint-stock companies. When that legislative measure was adopted, the fever of speculation had abated, but was not altogether subsided. A great number of applications were made to the king in council for charters. Whilst those applications were under consideration, many of them were withdrawn, and he believed that the parties who had withdrawn them, were now very glad that they had not been put to the expense of procuring a charter. The company to which the present bill referred was instituted, he understood, for the purpose of working mines and minerals in Wales. One of the applications made to the privy council for a charter was by a company for working mines and minerals in Scotland, and the application was backed by the recommendation of the first people in Scotland. He was one of those who did not think it proper to advise the Crown to grant any privilege to a company which, by the general description of their object, might work any thing from a slate-quarry to a gold mine, if they could find any. The application of the Scotch company was therefore rejected. In acceding to such applications, it was necessary to exercise great circumspection, as he remembered last year the effect of sanctioning the formation of so many companies to work mines, was to raise the demand for wages, and to encourage combinations among the workmen throughout Staffordshire, and the other mining districts. The House should therefore be slow and jealous in giving countenance to these schemes; and he could not forbear from thinking, that this application would be more likely to be fairly entertained, and an impartial decision formed upon it, by hearing council before the privy council, than by having the preamble of the bill read in that House. He would avail himself of that opportunity of stating his anxiety, that the law of partnerships, in which applications of this kind were mainly concerned, and which was in many instances the ground of making them, should undergo some material alteration. The law upon this subject was extremely inconvenient and defective; and he should be most happy to see the alteration and improvement of it undertaken by some person more competent than himself to such a task. What could be more inconvenient than, in proceeding against a company, if any member of the partnership were absent, the proceeding must be staid until a writ of outlawry was executed against the absent person, and the execution of it sometimes occupied a twelvemonth. Whilst this writ was executing, another member of the partnership might be absent, and it would be necessary to adopt a similar legal course respecting him. Then it was necessary that the names of all the partners should be entered in the proceedings; and if the christian name of any of the parties was wrongly inserted, or he was otherwise improperly described, a plea of abatement was entered up, and the plaintiff must abide the issue of that plea, before he could take any further step. If the issue were against him, he would be obliged to bear all the foregoing expenses, to which, in prosecuting his suit, he had been liable, and to begin de novo. Many other inconveniences attended the present law, which he would be most happy to see remedied. Besides, great difficulty often presented itself in ascertaining who were all the partners, as this could only be ascertained from the partners themselves, who were also defendants, and who could not therefore give testimony in the case. Whether this could be remedied by having a registry of the number of partnerships, or whether in actions of this kind it would not suffice to have an action brought against a member of a partnership, and oblige the other members to abide the result, he was not at that moment prepared to say; but the interests of commerce and manufactures, and a due protection of the interests of the public, materially required an amendment of the law of partnerships.

The amendment was agreed to, and the further consideration of the report put off for six months.

Education of the Poor of Ireland.] The House resolved itself into a Committee of Supply. On the resolution, "That 25,000*l.* be granted to defray the expense of the Society for promoting the Education of the Poor of Ireland for the year 1826,"

Mr. *Hume* said, that the society for which the present vote was claimed was totally unworthy of the attention of the House, for it had made statements relative to its services which were altogether false. He must observe, moreover, that the rich bishops and wealthy clergy of the establishment of Ireland had contributed to this society only the paltry sums of 400*l.* and 200*l.* But the society had represented, that they educated 102,000 pupils, whereas it turned out that they educated only 52,000*l.* What confidence could be placed in the bishops and clergy who belonged to this society, when they could make such false returns? When the pupils were more numerous, the House had voted only 22,000*l.* On what pretence could they be now called upon to increase the vote by 3,000*l.*? The society had stated the number of their schools, and of their scholars, and it would be found that, in all the four districts of Ireland, they had fixed upon a round average of seventy pupils to each school. When the public money was voted on the basis of the number of these scholars, such a system of taking the averages was most scandalous. But the society had charged at the rate of 400*l.* a year for the salary of their registrar and his assistant, and 120*l.* per annum for the salary of a corresponding clerk, and there were charges for twelve additional clerks, making in all 1,174*l.* There was likewise a charge of 2,350*l.* for the travelling expenses of ten inspectors. What would they think of no less than 9,400*l.* being charged for gratuities to teachers; they being also paid their regular salaries? A committee was now sitting on the subject, and he should therefore move that 22,000*l.* should be substituted for the proposed vote of 25,000*l.*

Lord *Milton* said, that his hon. friend might have gone much further than stating that the number of scholars in the four districts averaged at the rate of seventy for each school; for he would find that in every county in Ireland the comparison between the number of scholars and schools would produce precisely the same result. And yet, upon such a statement was the committee called upon to vote away the public money. Unless these returns of the society could be explained, he should consider them utterly disgraceful to those who published them.

Mr. *Butterworth* said, that the Kildare-street schools had done more good for Ireland than the hon. member was likely to do in twenty years, should his life be spared so long. He could not readily explain how the returns had been made out to tally with a particular number of scholars. Perhaps some general average had been taken. At any rate, he was ready to repeat what he had said on a former evening, that it was not possible to conceive that so respectable a body would lend themselves to any fabrications, or that they would be parties to telling stories. They were men of the highest character; not clergymen of the church of England only, but of other Christian persuasions. There were several Quakers in it; there was a physician, Dr. Burroughs, a man of unimpeachable character and eminence in his profession; and Mr. Jackson, a respectable barrister, was secretary. Surely he might believe in the honour and integrity of these persons, at least as readily as he could trust to the representations of the hon. gentleman. Let the hon. member, however, put his allegations in black and white, and send them to Dublin, and no doubt they would be refuted. As to any sudden diminution of the numbers, that was readily accounted for by those who knew the state of the country. There were continual altercations arising between the Roman Catholic clergy and the managers of the schools, as to the propriety of using the bible as a school-book. A most respectable friend of his in Ireland had supported several schools for the education of the children of the Roman Catholic poor at his own expense. A disagreement took place upon the ordinary subject, and, through the influence of the Catholic priests, there were 500 children withdrawn from them in one week. It was quite possible that 50,000 children might be withdrawn from the Kildare-street schools almost all at one time; so great was Roman Catholic influence.

Mr. *Goulburn* said, he wished to know whence the hon. member for Aberdeen derived his calculation relative to the average of seventy scholars.

Mr. *Hume* said, he had taken it from the report of the society itself, for 1824.

Mr. *Goulburn* said, he could not answer the statement, as he had not seen the document; but he was surprised that the hon. member should animadvert upon the conduct of the clergy and prelates, when he ought to have seen from the report, that not one of that profession had anything to do with the management of the society. The salary of the secretary was not 400*l.*, as the hon. member had stated, but 184*l.* per annum.

Mr. *Bright* said, that from the suspicious circumstances connected with the proceedings of the Kildare-street Society, he wished the vote should stand over until some gentleman connected with Ireland had explained those circumstances to the satisfaction of the House.

Mr. *Frankland Lewis* expressed his regret that the committee of inquiry had not been able to lay their additional report before the House at an earlier period. It was however in preparation, and would shortly be produced, and the House would find, that it was a work of no small labour. The hon. member, adverting to what had been said as to the number of scholars, observed, that it was difficult to ascertain the number on the rolls, for three months together. The committee had taken the number at 61,000; and when it was stated at 70,000, it was not, perhaps, too high. When the parties more immediately concerned made their report amount to 100,000 children, they did it not with a view to deceive; for they candidly admitted that they had taken into account schools not at present in operation, but which were likely to be so in a short time. Although it might be wrong to make such a return, he begged to bear testimony to the high respectability of the managers of the Kildare-street Society. The honour and integrity of those gentlemen had been most unfairly attacked, and it was but justice to vindicate their characters from the stigma attempted to be fixed upon them.

Mr. *Hume* did not wish to cast any reflection on those gentlemen individually; but, in their collective capacity, they had certainly committed errors. How were those errors attempted to be reconciled? According to the report of the society, the number of children educated by them was 100,000, while, in point of fact, it was little more than half that amount. The report of the managers was, therefore, at variance with truth. It was in fact an unfounded statement. With respect to the share which the Roman Catholics had in the management of the society, it appeared that there had been only two gentlemen of that persuasion who were connected with it, one of whom was since dead. Was it therefore to be expected that the Roman Catholic population of Ireland would suffer their children to attend those schools, the managers of which were, with one exception, Protestants? An alteration in the system was loudly called for, and he hoped it would take place at no distant day.

National Picture Gallery.] The *Chancellor of the Exchequer* moved, "that 9,000*l.* be granted to his majesty for the purchase of Pictures for the National Gallery for the year 1826." In so doing he wished to explain to the House the circumstances under which the purchase had been effected. Having heard that three paintings of some of the most renowned of the old masters were on sale, and wishing to add them to the national collection, his majesty's government were fortunate enough in having agreed for their purchase; and, when the House was aware of their value he was sure there could be but one opinion on the subject. One of the pictures was by Poussin, another by Carracci, and the third was the production of that celebrated master, Titian. The three paintings were admirable specimens of their respective masters. The picture by Carracci was admitted to be one of the very best of that great master. It was a singularly beautiful painting, both with respect to its design and the exquisite felicity of its colouring. The picture by Titian had been some time in this country. Its subject was Bacchus and Ariadne, and it was confessedly the finest specimen of that great master. It was not a large picture, but its beauty was unequalled. He was quite certain that no person would grudge the sum of 9,000*l.* which had been given for these pictures. Artists and persons of the first taste and judgment had concurred in praising their beauty. The late Mr. Angerstein had offered 5,000*l.* for the Titian alone, so that the three pictures could not be considered dear at the price which they cost the country. They were now in the National Gallery, which was open to the inspection of the public.

The resolution was agreed to.

HOUSE OF COMMONS.

Thursday, March 23.

Larceny Bill.] Mr. Secretary *Peel* brought in his bill "for consolidating and amending the Laws in England relative to Larceny, and certain other offences, affecting property." He said, he was so desirous that this bill should receive the most deliberate investigation, that he hoped he should be permitted to have it read the first and second time, and to go through the committee, where the blanks which fixed the penalty to the different offences could be filled up. The bill would then be placed before the House in a more perfect state, and gentlemen could come to the discussion, with a complete knowledge of all its provisions; and he should be perfectly prepared to give every opportunity for the discussion of the principle of the measure, if any objection were raised against it.

The bill was then read a first and second time, and committed.

Criminal Justice Bill.] Mr. Secretary *Peel* next brought in his bill "for improving the administration of Criminal Justice in England," and requested he might be allowed to take the same course with this as he had done with the preceding measure. This bill differed only in one respect from the statement which he had made when he obtained leave to bring it in, and that alteration was made on the suggestion of one of the highest judicial authorities this country had ever produced—an authority whose opinions were reverenced in every part of the world where a love of justice and equity prevailed—he alluded to lord Stowell, the venerable judge of the Admiralty Court. That noble lord proposed to extend the principle of the bill, so far as it related to prosecutions for misdemeanour at the quarter sessions, to offences tried in the Admiralty Court. At present, when persons were tried for offences committed on the high seas, even of the most atrocious character, the court had no power by law to award any indemnification to the persons supporting the prosecution; and the object of the alteration was, to give to the court of Admiralty a discretionary power of indemnifying individuals who came forward as prosecutors. On the common principle of justice it was only fair that the expense should be borne by the public.

The bill was then read a first and second time, and committed.

Public Charities in Ireland.] The order of the day for receiving the Report of the Committee of Supply was read. On the question, "that the report be now brought up,"

Mr. *Hume* said, he had not heard from his majesty's ministers whether they intended to make any alteration in the estimates for charitable purposes in Ireland. He would, therefore, avail himself of the present opportunity of placing on record his opinion of the situation in which the

House was placed with regard to those estimates. A committee was appointed in 1817 to inquire into this subject. The result of that inquiry was this:—On the 1st of January 1,800, the sum voted by the Irish parliament, for charitable purposes, was 47,284*l.* This was at the time that the Union took place. In the act of union was a clause to continue these votes for twenty years. At the end of that time, the system was to cease. Now, he begged of the House to consider what they were doing. His firm conviction was, that the granting of money for charitable institutions, conducted as those in Ireland were, was wasting the public money. Instead of reducing these estimates, they were now four or five times greater than they were at the time of the Union. A minute inquiry into those institutions would prove, that the money was wasted, and not applied to the real purposes for which it was voted. Being of this opinion, he would move, by way of amendment, to leave out from the word "That" to the end of the question, in order to add the words, "when the principle of supporting local charities and other institutions at the public expense is extremely questionable, and the present distressed state of Great Britain is considered, it becomes the imperative duty of this House to institute an inquiry before they proceed further in voting to the amount of 371,589*l.* for the support of local institutions in Ireland, more especially so, when no less a sum than 171,261*l.* is required in the present year for the support of the charitable institutions for which the Irish parliament, on an average of the six years 1794 to 1800, voted only 47,284*l.*," instead thereof.

The *Chancellor of the Exchequer* said, that if the votes for those charitable institutions were now proposed for the first time, he could not conceive any sort of reasoning which could make him acquiesce in them. But they had now been voted for so long a period, that they ought not to be abruptly discontinued. The House would not, he was sure, be disposed at once to break up these establishments, which, however questionable in their principle, were necessary and useful to the people of Ireland. No one would recommend to the legislature to discard from their mind all charitable feelings for a cold and too strict an economy.

Mr. *Hume* said, that it was now five years since government ought to have proposed to the House to reduce these estimates; but, instead of that, they had been going on increasing from year to year. He had no confidence in the right hon. gentleman, nor in any part of the government, and would divide the House on the amendment.

The House divided: for bringing up the report 60. Against it 6.

List of the Minority.

Bright, H.
Davies, T.
Ellice, E.
Fergusson, sir R.
Lockhart, J.
Smith, W.

TELLERS.
Hume, J.
Wood, ald.

EDUCATION IN IRELAND.] Mr. *Hume* again expressed his objections to the vote for the Kildare-street Society, in Dublin. In addition to what he had said last night, as to the scholars bearing exactly a seventieth proportion to the number of schools of this institution, in the several counties of Ireland, he was now enabled to state, that the same proportion was observable in the reports of the society of 1824, 1825, and 1826. He was, therefore, warranted in saying, that this was a manufactured statement. He apologized, however, for having connected the church of Ireland so closely with this institution. This was professedly a proselyting society, and it was impossible for a Catholic to read any work called a tract. He objected to a tract called a "Search for Sin," as containing the most disgusting rhapsodies. He had a horror of tracts. It was monstrous to charge so large a sum for educating 26,000 Catholic children. He concluded by moving, as an amendment, "That a commission being now employed to inquire into the state of education in Ireland, and the best means of promoting the same, it is, in the opinion of this House, as contrary to parliamentary usage, as it is inconsistent with economy, to allow of any increase of expense for the society for promoting the education of the poor of Ireland until the commissioners have made their final report to this House, and therefore the amount should be reduced to 22,000*l.*, the amount voted last year for that institution."

Mr. *F. Lewis* said, that the commission had already reported, but the hon. member had not read that report. He defended these institutions, as, from his own knowledge, being highly beneficial to Ireland.

The amendment was negatived, and the resolution agreed to.

HOUSE OF COMMONS.

Thursday, April 6.

Liverpool and Manchester Railway Bill.] General *Gascoyne* rose for the purpose of moving the third reading of this bill. He observed, that though he had been a member of that House for many years, he had rarely found it necessary to make any observation on a local measure of this nature; but, as he saw an unusual muster of those who objected to the bill, he felt it to be his duty to offer a few remarks in support of it. His constituents were decidedly in favour of the measure, as was evident from the number of petitions which had been presented, showing the benefit that would be derived from it. It was true, that last session a similar measure had been defeated, but even then the justice of its principle had been admitted and, since that time, those who most strenuously objected to the formation of the road, had given up their opposition. It could not be denied, that the trade of Liverpool and Manchester had increased very much of late years; and therefore this new communication between the two places had become necessary. It was said, that individuals, who had property on the intended line of road, would be injured. This, however, was an argument that would militate against every species of improvement. The population on the thirty-one miles which intervened between Liverpool and Manchester was nearer in amount to 1,000,000, than 800,000 persons; and, therefore, it was impossible that some inconvenience must not be suffered. But, assuredly, inconvenience ought not to prevent a great public improvement. This was a measure that did not originate in the spirit of speculation. Local circumstances, and the clear necessity of having an additional accommodation for the transit of goods between the two towns, had given rise to it. The plan would be extremely beneficial to Ireland; for he considered the adoption of every project which rendered the communication between the two counties more rapid and easy as a point gained for Ireland.

Mr. *William Peel* seconded the motion. From the evidence given before the committee, with whose recommendation the bill came before the House, it was, he said, made manifest that there was an absolute necessity for a more rapid and cheaper communication between Liverpool and Manchester than prevailed at present; and it was also made clear, to the satisfaction of the committee, that that communication would be best established by the proposed rail-road. The necessity of that rapid and cheap communication was apparent from the increase which had taken place in the trade of Liverpool. The trade of that port generally had been calculated to have doubled every twenty years since 1760, and the trade in cotton to have doubled every ten years. There might be some landed proprietors who might feel inconvenience from this rail-road; they were, however, by far the smaller number; the majority were either neuter, or satisfied that their property would be served by the projected rail-road. It was intended to make liberal compensation to all those whose property might sustain any injury. The principal opposition to the bill arose from the proprietors of canal shares; but, much as individuals interests ought to be respected, they ought not to prevent a great public improvement.

Mr. *Stanley* requested the House to bear in mind, that the bill which now came recommended by the committee, was last year rejected by the House. He would undertake to show, that the advantages of cheapness and rapidity which were expected from this bill, would by no means result from it. He would not object to it, if any case of public necessity, or great public improvement required it; and least of all would he object to it if it were proved that it would be serviceable to the trade of Ireland. No bill had ever come before the House with higher pretensions than the present. It was first proposed, that the movement on this rail-road should be as rapid as twelve miles an hour; this was then altered to ten, and thus the thirty miles was to be gone over in three hours. But, what was now proposed? Why, the very reverse of this; and, instead of moving at the rate of ten miles an hour, it was intended to move at the rate of three miles an hour, which was the performance of thirty miles in ten hours, instead of thirty miles in three. The conveyance by the canals was twelve hours. There were some who stated it at a higher rate; but the average conveyance was twelve hours, making allowance for stoppages; whereas, in the estimate of the promoters of this bill, it was ten hours without any such allowance. Thus, then, it would appear, that there was very little difference as regarded the speed of conveyance, on the shewing of the projectors themselves. Another point in which the bill had varied from its original projection was, that the labours of that useful animal, the horse, were to be dispensed with, and the whole was to be done by steam: whereas, it now appeared that nearly the whole work was to be done by horse-labour. On the Darlington rail-road, where the experiment had been tried, a fourth or fifth of the whole time that they were on the road was consumed in stoppages; and he begged again to call to the attention of the House, that no allowance was made for this in the provisions of the present bill. He would now proceed to show the House that goods would not be conveyed more cheaply. This would be seen from a comparison of the charges of freight and tonnage made by canal conveyance, and those proposed to be made for conveyance of goods by the rail-road. The average rate of freight by the former was 10*s.* 5*d.* per ton, and that by the rail-road 9*s.* 6*d*; but, in the former charge was included the expense of warehousing, cartage, &c., which might be stated to be at 1*s.* 5*d.* This was not included in the latter, and thus the rate of freight of the canal was 9*s.* per ton; that of the rail-road 9*s.* 6*d.* He next came to the charge of tonnage. The tonnage charged by the canal was 3*s.* 4*d.* on all goods, with the exception of coal, on which the tonnage was 1*s.* 6*d.*; and manure was carried free. Now, what were the charges proposed for conveyance by the rail-road? On cotton goods 7*s.* 9*d.* instead of 3*s.* 4*d.*; on timber and grain 6*s.* 5*d.* instead of 3*s.* 4*d.*; on stone and brick 5*s.* 2*d.* instead of 3*s.* 4*d.*; on coal at 3*s.* 10*d.* instead of 1*s.* 6*d.*; and tonnage was to be charged for manure and other matter for agricultural produce, which by canal conveyance was free. He knew it had been stated before the committee, by a coal-broker of Liverpool, that, in consequence of the insufficiency of the communication by the canal, he had been unable to perform a contract into which he had entered for 1,000 ton of coal. This individual had shown clearly enough, that he had not performed his contract, but it was no less clearly shown, that the fault did not rest with the canal. The House, he contended, were bound to interfere and prevent this mad and extravagant speculation from being carried into effect. Many had already suffered by it. When it was first projected, the shares were at 40 per cent premium; but, since the publication of the evidence, they had fallen to 1 per cent discount. The opinion expressed by two engineers as to the expense which would be incurred in carrying this project into effect was very different. Mr. Rennie, the son of a very distinguished individual, had stated, that the hill near Liverpool, the elevation of which was 1 in 49, would require 1-15th, additional horse-power; but Mr. Farmer said, that, instead of 1-15th, the additional horse-power required would be as 57 to 10. The sum which would be required to purchase the land, and to carry the measure completely into effect, would be 435,000*l.* without making any charge for carrying the bill through parliament; which was a sum greatly beyond Mr. Rennie's estimate. In order to pay, even moderately, it would be necessary that 313,000 tons of goods should be conveyed by the rail-road in the course of the year, or 857 tons a-day; 430 tons must be moving simultaneously in one direction, and 430 in another, or else the shareholders would not receive 1*s.* interest for their 435,000*l.* The hon. gentleman contended, from a reference to the goods carried by the canal, that it was impossible such a quantity as he had mentioned would ever be conveyed by the rail-road. Gentlemen might say, "Oh, let us have the rail-road by all means, and the canal also. Let each take its chance for success." In answer to this, he would say, that if, should the experiment fail, they could undo all the mischief which must be perpetrated in making the trial, he would not object to it. But if they could not undo that mischief, then it was the duty of parliament to proceed very cautiously. They ought to take care, before the scheme was entered into, that the public should be benefitted by it in a much greater proportion than individuals would be injured by it. The hon. gentleman concluded by moving as an amendment, "That the bill be read a third time that day six months."

Sir *Isaac Coffin* seconded the amendment. There had, he said, been a great deal of manœuvering about this bill. It was thrown out last session, and taken up during the present, to meet the views of some noble personages. But he would not consent to see widows' premises invaded, or the premises of any humble person invaded, to promote the views and interests of certain high persons. There was no necessity for this bill. He had never heard of a ship being delayed a day in the port of Liverpool, on account of want of sufficiently rapid conveyance from Manchester. He had known Liverpool for forty-four years, and had never heard of such an occurrence. He would ask, how any person would like to have a rail-road formed under his parlour window? The present was one of the most flagrant impositions ever known.

Mr. *Huskisson* said, he did not mean to follow the hon. member who had spoken last but one, into all the details to which he had adverted. The course which the hon. member had pursued was rather unusual. He might have urged all his objections in the committee (which he believed the hon. member had not attended) instead of coming down and discussing all the bearings of the bill on the third reading. His gallant friend had told them, that this measure went to invade private property. But this must always be the case whenever an improvement was contemplated, whether it was the formation of a highway or the excavation of a canal. His gallant friend had stated, that he had known Liverpool for forty-four-years. Now, he would ask his gallant friend whether, during that long period, the towns of Liverpool and Manchester had remained stationary? If they had, as was the fact, increased in size and importance, that circumstance formed a prima facie case in favour of this measure. The argument that this rail-road would charge more to the public than was charged by the canal, was one which he could not understand. If it did charge more, the only effect would be, that the public would not go upon it. But the only ground upon which he supported this rail-road was, that it would be likely to charge a great deal less than was charged by the canal. It was an especial condition that the profits upon the undertaking should be limited always to ten per cent. Would the canals limit their profit to this extent—taking as they were now doing, more than 100? His main reason for assisting this project of the rail-road was to break up the overgrown monopoly which was now enjoyed by the canals.

Mr. *Philips* said, that the interests of the public were of paramount importance to those of the canals; but he was persuaded that the rail-roads would be of no general advantage commensurate with the injury they would inflict upon private property. He should therefore oppose the bill.

Sir *J. Newport* was in favour of the measure, which he thought would promote the interests both of Liverpool and Ireland.

Captain *Bradshaw* said, that this rail-road would become a monopoly in the hands of the proprietors.

The House then divided: for the third reading 88; against it 41; majority 47. The bill was then read a third time and passed.

SHERIFF OF DURHAM BILL.] Mr. Secretary *Peel* rose to move for leave to bring in a bill to remedy the inconveniences arising from the present state of the county of Durham, with regard to the appointment of its High Sheriff. That office was held for life, in the county of Durham, by the nomination of the Bishop; and in consequence of the death of that prelate, and from there being as yet no successor possessed of the power to appoint his officers, the whole business of the county was at a stand. No juries could be summoned, no sessions could be held, no public business of any kind could be transacted, unless some measure was adopted to render those officers still legally capable of executing the duties assigned to them. For that purpose, he proposed that the sheriff and other officers should be empowered by a bill, which he trusted the House would enable him to pass through its stages with the least possible delay, to continue in the situations they now hold for six months from the present time. He was not however prepared to say, that, after the termination of that period, he would consent to leave the office of High Sheriff of the populous and important county of Durham to revert to the same state, with respect to its appointment and duration, as before the death of the late prelate. He saw no sufficient reason why that high office should be held at the pleasure of the bishop, nor why the gentlemen of the county of Durham should not be compelled, like the gentlemen of the other counties of England, to serve in their turn when regularly presented for that purpose. There was no bishop at present; but he conceived it to be a matter worthy of serious consideration, whether three names should not be presented every year to the future bishop, and whether he should not be compelled to select from that number, the person who was to perform the duties for the usual period. The right hon. gentleman then moved, "That leave be given to bring in a bill, to remedy the inconveniences in the administration of justice, arising from the present vacancy of the see of Durham, and for preventing the like in future."

Mr. *Hume* approved of the proposal for assimilating the practice in counties, in the appointment of sheriffs, but he wished to take that opportunity of putting it to the right hon. Secretary, whether it would not be expedient to make some alteration in the revenues of the bishop of Durham. All the world acknowledged the income of that person was much too large, and he conceived there was no reflection cast upon the church of England more poignant or more just, than the lamentable disproportion in the incomes of its servants. Thousands were left poor to swell the revenue of one or two overwhelming rich, and he thought the present would be a noble opportunity to commence a reformation of errors, to cast aside abuses, and, by reducing the salary of the bishop, clear the way for freeing the church of England from the imputations thrown out against it for the inequality of the incomes allotted to its ministers. The right hon. gentleman had, to his infinite honour, been the proposer of many improvements, and he could not avoid throwing out a suggestion of that kind at the present moment, that the right hon. gentleman might have the credit of taking it upon himself now; for he might be assured, that the time would come when such a reformation must take place, in spite of all opposition, and when the incomes of the dignitaries of the church of England would be reduced to a sum, bearing a juster relation to that received by their fellow-labourers, and the whole body be thereby rendered more respectable and more useful.

Leave was given to bring in the bill.

SALARY OF THE PRESIDENT OF THE BOARD OF TRADE.] The House having resolved itself into a committee, to which the Civil List act was referred,

The *Chancellor of the Exchequer* said, that, in rising to move a resolution regarding the salary of the president of the Board of Trade, he thought it necessary to observe, that the state of that office had not alone been considered defective by his colleagues in office on that side of the House, but had actually, on several occasions, drawn forth observations from the gentlemen opposite, many of whom, during the last session, had repeatedly given utterance to an opinion that the salary of his right hon. friend was totally incompatible with the duties which it became necessary for him to perform, and expressed their regret that so important an office should be allowed to continue without any adequate remuneration. Prior to the year 1782, all matters connected with the trade and commerce of the country had been managed by a Board composed of various members of the government, each of whom received a salary for that specific service. It might be doubted now how far a Board thus constituted was calculated to take a proper view of the various commercial relations of the country, or to advance those measures which might be considered essential to the public interests; certain it was, that many more received salaries than were at all necessary for the service of that department; and, after having been for a time subjected to the lash of Mr. Burke's ridicule at that period, the Board was finally abolished, and a determination made to have its functions performed in some other way. It was soon found, however, that in this country, commerce affected such a variety of interests, involved questions so complicated, and altogether demanded a knowledge and acquirements so different from the common routine of ministerial duties, as to render it impossible that it could be safely left without some superintendence more particularly devoted to its peculiar objects; and, in consequence, about the year 1784, the concerns of trade and commerce were intrusted to a committee of the privy council, under the direction of a president and vice-president, holding other offices, from which they received those salaries which were justly due as a remuneration to all who devoted their services to the benefit of their country. But it must be obvious that this mode of paying for the fulfilment of the duties of a highly useful and effective office by the salary of one which was well paid, though less effective, was subject to the greatest possible objection. Parliament had acquiesced in this proposition, so far as to appoint a proper salary for the vice-president; which happened when he himself held the office some years ago. He thought that a fit remuneration for the president would be 5,000*l.* a-year. The House would recollect that it was an office which, in these times especially, called for more labour, both of body and mind, than any other now in existence. He had the honour to fill it once, and he could speak to the fact, that no situation of which he had any knowledge required so absolute a devotion of the whole mind to the duties of the office. To the arduous nature of those duties, he, however inadequate he might have been to fulfil them, could, from experience, bear ample testimony; and he would venture to declare, that, however arduous he might have found them then, they must have since become of a nature which would require a devotion both of bodily and mental powers which would not be repaid too largely by the sum he now proposed. He could not conclude what he had thought it necessary to say on this subject, without a word respecting the individual who at present held the office to which he proposed to give an additional salary. He conceived it would be very bad taste in him to attempt to pronounce any flourishing panegyric upon his right hon. friend; but he would take leave to assert, that no man ever brought to that, or any other office, greater zeal and devotion—no man ever brought greater assiduity to all the various details of his duty—none a more comprehensive intellect—none a more resolute mind—and none ever had discharged all the functions of his office with more real benefit to his country [hear!]. And it was a very great gratification to him, in applying for the consent of parliament to an increase of the salary of the President of the Board of Trade, to be able to say, with respect to the person who now held it, and for whose benefit that increase was intended, that, while he had thus worthily fulfilled his duties for the benefit of his country, he had been able to give satisfaction to every party in that House and in the country. He would now move, "That his majesty be enabled to grant a salary of 5,000*l.* a-year to the President of the Board of Trade."

Mr. *Hume* said, that any suggestion thrown out by his honourable friends for increasing the allowances of public officers, met with ready attention from his majesty's ministers; not so, even upon the most urgent grounds, suggestions for reduction. He could not raise the slightest objection to the right hon. gentleman who had filled this office latterly with such laudable zeal and ability. Still, however, there were questions connected with the subject which ought to be fully explained Was this salary of 5,000*l.* to be accounted a sufficient compensation for the duties of the office; or was the right hon. gentleman to continue to receive with it the salary of 3,000*l.* a year as Treasurer of the Navy; or was he to derive any pension from the public purse, to be paid at the same time, with his salary of President of the Board of Trade? Undoubtedly this last office had become one of considerable importance; and, though circumstances still prevented the right hon. gentleman from doing all that he ought in it, he seemed to do all that he could. But was there no possibility of rewarding him without increasing the burthens of the public? There must be many offices in both of the departments with which the right hon. gentleman was connected, which had fallen into disuse, the salaries of which ought to be applied to this purpose. This would be really proceeding in the spirit of that act of the 22 Geo. 3, which it was the object of the chancellor of the Exchequer's motion to have reconsidered. If they were in earnest, therefore, they would, before proceeding to vote an addition of 5,000*l.* a year to the public salaries, first of all abolish as many useless places as would effect a saving to that amount.

The *Chancellor of the Exchequer*, in reply to the hon. gentleman, said, that his right hon. friend had no other salary but that of Treasurer of the Navy. As to the question, whether his right hon. friend held any other office, he had, until lately, been agent for Ceylon, but had now given up that situation. Neither he nor his right hon. friend ever thought of his holding the situation of Treasurer of the Navy with the presidency of the Board of Trade, after the appointment of a sufficient salary for the last-named office. He thought that the salary of Treasurer of the Navy was no more than the person holding that office was entitled to receive, if he held no other situation. He thought, however, that there was no necessity for continuing the allowance of a house at the public expense. The reasons which applied to that indulgence in many other cases, were not applicable in this. It was not intended in future to give him the use of a house; and the apartments in Somerset house would be available for the increase of business in other departments. The salary was already sufficiently low, having been reduced from 4,000*l.* to 3,000*l.* a year. He could not consent to treat the office as a sinecure. A negligent person might make almost any office a sinecure: but the House would recollect, that the Treasurer of the Navy held a situation of great responsibility. He was a public accountant, and he could not make out a clear title to his own property after his resignation or dismissal, until he had obtained a proper quietus from those who were empowered by the government to audit his accounts. He could not agree with the hon. member that there were grounds for reducing any of the offices of those establishments. They were offices which must be held by effective persons; and he could not conceive how the hon. gentleman, by cutting and carving, could draw funds out of them to remunerate the labours of the President of the Board of Trade. Whatever notions the hon. member might entertain on the subject, he for one would never subscribe to the principle of making up from other sources the salary of individuals who had arduous and responsible offices to fill.

Mr. *Calcraft* bore testimony to the high talents of the right hon. the President of the Board of Trade. He was free to say that a more able and efficient servant could not be found to fill the duties of that office. Yet, much as he respected the zeal and abilities of the right hon. gentleman, he could not see the necessity of increasing the salary of the situation which he held, at least to the extent which had been proposed by the chancellor of the Exchequer. Under cover of giving 5,000*l.* a year to his right hon. friend, he was aware that he should have to give a situation of 3,000*l.* a year, the treasurership of the Navy, to some other of his friends. But he would say, if any increase were necessary, let both offices be still united, and let the right hon. gentleman receive 2,000*l.* a year as navy treasurer, and 3,000*l.* a year as President of the Board of Trade. He could see no reasons why the offices should not be blended; and really, when the House recollected the increased expenditure of the country, and the difficulty of the times, he thought it high time to pause before the burthens of the country were augmented. The influence of the Crown, though measures had been adopted to reduce it, was still frightfully large; and the House should be cautious how they increased that influence by throwing open new offices. He did not wish, however, to reflect, in the slightest degree, on the right hon. gentleman for whom the present vote was proposed, but he could not avoid remarking, that the first lord of the Admiralty had no more than 5,000*l.* a year. There were many situations much more inadequately paid than that of the President of the Board of Trade; and it would not be difficult to point out one which, in point of responsibility and labour, was fully equal to that office, which was very unequally remunerated. He remembered that Mr. Dundas held the situation of Treasurer of the Navy along with his other responsible appointments; and such was the nature of the office, that the Speaker of the House of Commons held it on another occasion. In fact, it was an appointment of so little importance, that all it required was a residence in London. He had only to say, that, unless the chancellor of the Exchequer would consent to blend both offices, and appropriate 5,000*l.* a year for the performance of their respective duties, he should feel himself bound to oppose the original proposition.

Mr. *Robertson* complained of the short notice which had been given with respect to the present motion. He had not heard of it until he came down that night. There were circumstances of suspicion connected with this measure, which, if known to the House, would, he was convinced, make a strong impression. Circumstances of a mysterious nature were connected with the present motion, of which it was right that the House should be put in possession before they came to a decision. He begged to call the attention of the House to the charter which had been last year granted by the President of the Board of Trade, to incorporate a certain silk company. At the head of that company stood the name of Mr. Alexander Baring, and he could not but consider it a very singular coincidence, that early in the month of June, 1825, a short time after the charter had been granted, Mr. Baring rose in his place to propose an increase to the salary of the President of the Board of Trade. He need not remind the House that the profits of this company were to arise from the propagation of silk worms, and it was expected to prove a most lucrative speculation. The member for Taunton rose on another occasion to propose remuneration to the same individual, and he could not but feel that there must have been some secret understanding between the parties. He begged to be understood, however, that he did not mean to reflect, in the remotest degree, on the hon. member for Taunton; but, feeling as he did, that there was something of a mysterious nature in the transaction, he could not agree in the propriety of granting an increase to the President of the Board of Trade, under the circumstances which he had stated. He knew of no measure adopted by that right hon. gentleman for the good of the country that had not originated with the other side of the House. He had not risen to oppose the measure on any other than public grounds; and, in giving it his opposition, he did so from principle. He conceived that the President of the Board of Trade was amply paid for the duties which he had to perform; and, for the reasons which he had stated, he wished the House to pause before they agreed to the measure.

Mr. *Baring* said, he could assure the hon. gentleman, that he had totally mistaken his motives in proposing an increase of salary to the right hon. the President of the Board of Trade. He certainly had proposed that increase from a conviction that it was called for; and, in giving his support to the present measure, his opinion as to its justice and expediency was unaltered. He would go even further, and say, that there never was a vote more justly called for. With respect to the allusion which had been made to the company of which he had become a member, he begged leave to offer some explanation. The silk company was established last year with a view of benefitting Ireland, and with that view he had lent his name to the concern; but with respect to any profits which he might be supposed to derive from the speculation, he could assure the hon. gentleman and the House, that he had only contributed 200*l.* towards the concern, and that his expectations consequently could not have been very highly excited. If he thought the statement of the hon. gentleman likely to make any impression on the House or the country, he would go more into detail; but, as he could not anticipate any such effect, he would not say another word upon the subject, further than that, neither he nor the President of the Board of Trade ever exchanged a word about this company, though he could not put it out of the head of the hon. member for Grampound that something mysterious was lurking between them. With respect to the vote, he looked to the principle upon which it was proposed, and in this he was sure he should not stand alone. For, however some might differ as to the way in which the increase ought to be given, all were agreed as to the principle. He was sure there was only one opinion in the House, and throughout the country, of the eminent services of the right hon. gentleman, and of the zeal and integrity with which he discharged his duty, and which entitled him to the amplest remuneration. Government were negligent in not having long since remunerated them. The sum proposed was fair as compared with the remuneration given to other public officers, all of whom ought to be amply paid. Upon this point he had no objection to urge; but to sinecures he entertained the strongest objection, as being not only unnecessary and expensive, but as affording an opportunity to the opponents of government, of perpetually declaiming against them. He was sorry that another question had been mixed up with this resolution; for he confessed he did not see why the office of Treasurer of the Navy should be retained; and, as to the amount of salary, if that was to depend upon his being a public accountant, it might be done away with; for, where millions passed through his hands, the miserable pittance of an individual was no security. The real security consisted in having the accounts frequently audited.

Mr. Secretary *Peel* said, that if the knowledge of what passed there was confined within the walls of the House, it would be ludicrous in him to notice the charge of the hon. member for Grampound; and he only did so for the purpose of repeating the declaration which had been already made by his right hon. friend, that he had lent his name to that company honourably, and without the slightest hope of participating in its advantages. If it drew to itself all the wealth of the Indies, his right hon. friend would not derive a single farthing from it; and when the hon. member imputed to the hon. member for Taunton that, on account of the miserable profits which he might realise from a venture of 200*l.* he was induced deliberately to propose an increase of the salary of his right hon. friend, he would only look for the answer to so unfounded an imputation, in the smile which sat upon every face the moment it was uttered. It astonished him more than he could express, that in alluding to the conduct of his right hon. friend—a man as conspicuous for the integrity, zeal, and ability with which he discharged every duty confided to him, as he was for the singular temper and moderation which he evinced on all occasions—the hon. member did not shrink back with shame from making a charge which affected the moral character of such a man. It was better to reserve the consideration of the office of the Treasurer of the Navy to another occasion; and then, perhaps, the House might be of opinion that the duties of that office would require it to be put into the hands of a person who had no other public responsibility. There was this to be considered, that the Treasurer of the Navy incurred a great pecuniary risk, which would prevent a person accepting it without a corresponding remuneration. He had only to allude to circumstances that had taken place in that office in the course of the last year, to prove that the responsibility was not ideal. The question was not now whether those situations should be held by one and the same person, but whether the proposed sum of 5,000*l.* was or was not a fit remuneration for the services of the person sitting as the President of the Board of Trade. The House, at the proper time, could take into consideration what alterations should be made in the treasurership of the Navy, and it would then recollect, that 1,000*l.* a-year had already been deducted from the salary, and that the house in Somerset Buildings was about to be relinquished for the public service. He therefore trusted the committee would agree to the vote, and leave the other question for future discussion.

Mr. *Maberly* entirely concurred in the view taken of the question before the House by the right hon. gentleman who had just sat down. He could not conceive why the situation of President of the Board of Trade should not be equally remunerated with the Secretary for the Foreign and Home Departments. The labours were at least equal to either of those appointments; and he would suggest to the chancellor of the Exchequer, that the office should be placed on an equal footing. He bore testimony to the zeal and talents of the right hon. gentleman in whose behalf the present application had been made, and concluded by giving his cordial support to the motion.

Mr. *Bernal* also agreed in the vote, on the understanding that a reduction would be made in the salary of the Treasurer of the Navy, or the office altogether abolished. But, that, if any member should insist on a pledge to that effect being given before they concurred in the resolution, he should feel it his duty to join him.

Mr. *Calcraft* repeated, that he would certainly oppose the present vote unless he received some pledge that the treasurership of the Navy would be modified, and the business done, as it might be, by the paymaster.

Mr. *Lockhart* wished to know whether the new arrangement would necessarily vacate the right hon. gentleman's seat in that House.

The *Chancellor of the Exchequer* said, the resolution would have no reference to the seat of the right hon. gentleman. He was adverse to the proposition of amalgamating the offices of President of the Board of Trade and Treasurer of the Navy. It was a fallacy to suppose that the latter office was a sinecure. On the contrary, its duties were manifold, and essential to the efficient regulation of that important branch of the service. Whether 5,000*l.* a-year was an exorbitant salary, was a totally distinct question, and the only one which the committee at present had to consider.

Mr. *T. Wilson* considered the present was not the time for taxing the country with an increase of official salary. Why not add 2,000*l.* a year to the present income of 3,000*l.*? All agreed that the right hon. gentleman deserved that income, and it would be a much more gracious way of granting it, than the one proposed, which went unnecessarily to increase the patronage of the Crown.

Mr. *Calcraft* repeated, that he would oppose the resolution, unless some pledge were given that it was not intended to be made an opportunity for placing an additional office of 3,000*l.* a year at the disposal of the Crown.

Mr. *Hume* could not acquiesce in the proposal of the right hon. gentleman opposite. The House was bound to abstain from imposing new burthens upon the country, while there were already so many useless ones which ought to be removed. He was the last man to wish to dictate how the duties, regarding which so much difference of opinion appeared to exist, ought to be done; although he was satisfied that they might be efficiently discharged by one person. He was quite willing that the great services of the President of the Board of Trade should be rewarded by a salary of 5,000*l.*; but the country should be saved from any increased expense, by an equivalent reduction in other branches. With this view, he would move as an amendment, "That a Salary of 5,000*l.* a year be allowed to the President of the Board of Trade; but it is expedient, that an inquiry should be instituted, to ascertain whether any office or offices, at present in existence, can be abolished, or modified; and the salaries and allowances attached to those offices applied wholly, or in part, to make up the salary of the President of the Board of Trade."

Sir *F. Ommaney* observed upon the great responsibility of the Treasurer of the Navy, and urged the necessity of keeping this office distinct from that of the President of the Board of Trade.

Mr. *Baring* suggested that it would be better to leave out the consideration of the office of Treasurer of the Navy for the present, and make it the subject of a separate discussion.

The *Chancellor of the Exchequer* opposed the union of the two offices of President of the Board of Trade and Treasurer of the Navy. The question at present to be discussed was, whether or not 5,000*l.* a year was too much for the President of the Board of Trade. With regard to the Treasurer of the Navy, the House would still be at liberty to pursue whatever course might appear expedient. They might if they saw reason, strike out the salary of that office altogether. A proposition to this effect would at all times be in the power of any hon. gentleman who might not be satisfied with the measures of his majesty's government. But he saw no advantage likely to accrue from the amalgamation of two offices which had no necessary connection.

Mr. *Ellice* said, he should decidedly vote for the salary to be given to the right hon. gentleman, as a proper but moderate remuneration for his great talents and devotion to public business, and he fully agreed, that no one had held any office more to the advantage of the country. Still he could not give his vote for this grant, unless a pledge were given, that the second office should be made a subject of revision, and that a retrenchment should be made equivalent to the advance now sought.

Mr. *R. Smith* thought it incumbent upon the House to accompany the increased grant in the one quarter with an inquiry into the nature of the other office. He would support the amendment of the hon. member for Aberdeen, but that he thought it too general. If it were competent to him to move an amendment upon an amendment, he would move that the inquiry be restricted to the office of Treasurer of the Navy.

Mr. *Maberly* said, he could not support the original motion, unless it was modified, as far as respected the treasurership of the Navy.

Mr. *Hume* said, that if the House went into the committee of inquiry, he would point out many offices from which the saving might be made.

Mr. Secretary *Peel* said, that an inquiry into the nature of other offices was not necessarily connected with the present motion. It was not said that the proposed salary was too great; but whether it was too great or too small, if there were any useless offices, let the House abolish them, without any reference to the present question. If this office was necessary, the country was rich enough to afford it: if it was not necessary, the committee ought not, of course, to agree to the vote. The hon. member need not regret the rejection of his amendment now, as he would have an opportunity of bringing on the subject again.

Mr. *Hume* said he was not understood. He did not mean to object to this vote of 5,000*l.*, but, in granting it, he thought the sum might be saved from other offices.

Mr. *Peel* said, the hon. member's amendment went to a saving of this 5,000*l.* a year. But why limit the saving to this? If he could point out a saving of 10,000*l.* a year, let him do so, but that need not be dependent on the present vote, nor ought this grant be made contingent upon the proposed saving.

Mr. *Ellice* recommended that the amendment should be confined to the office of the Treasurer of the Navy, and that the inquiry should be, whether that office could be modified or abolished.

Mr. *Baring* hoped the hon. member for Aberdeen would agree to the amendment, by which his proposition for inquiry was limited to a single point. He certainly did not feel prepared to support a motion for a committee on a rambling inquiry how they could obtain 5,000*l.* by reduction.

The *Chancellor of the Exchequer* said, the question he had brought before the committee was, what ought the President of the Board of Trade to receive? He thought the two offices ought not to be connected; and that the question as to the salary of the Treasurer of the Navy ought not, therefore, to be discussed, unless it could be shewn that they were necessarily connected with each other. He had no objection to postpone the consideration of this motion, though he did not see any necessity for so doing. He would only observe, that when Mr. Rose held the office of Treasurer of the Navy, he received a higher salary than was at present given. For the last six years that he held the office he received 4,000*l.*; and when Mr. Tierney held it he received a similar sum.

The motion was then postponed till to-morrow.

HOUSE OF COMMONS.

Friday, April 7.

JURIES IN INDIA BILL.] The report of the committee on this bill being brought up,

Mr. *Hume* complained that the bill, as it now stood, did not sufficiently define the powers of the judges in India to select native subjects to sit upon juries. This would be considered a great evil by all who reflected that the prejudices of the Europeans in India had been carried to such a height, that there had been a declaration made by some of that class, that they never would convict any white man of murder, if his victim were a black. He wished to see the practice established of composing juries of an equal number of Europeans and natives, in cases where the natives were the objects of trial; and he hoped that the president of the Board of Controul would consent to a provision in the present bill, that the judges should report to this country their practice upon the selection of natives upon juries.

Mr. *Wynn* said, that the proposition of the hon. member for Aberdeen was unquestionably good in principle, but the selection of natives to sit upon juries would, in many situations, be found most inconvenient, and even impossible, in practice. He lamented most strongly the nature and the degree of the prejudices existing in India against the native inhabitants, which prevented the enactment of such measures as the hon. member proposed. The prejudices were much less strong in the national service than in that of the company, and he had known instances where persons, rejected from the latter, had been admitted into the former, and had risen to the highest rank. Complaints had certainly been made from many quarters against the non-admission of half castes upon juries, but he had received no such complaints against the exclusion of the natives. He should be happy to follow the suggestions of the hon. member whenever an opportunity should offer.

The report was agreed to.

SCILLY ISLANDS—PETITION OF THE INHABITANTS RESPECTING SUBSCRIPTION FOR THEIR RELIEF.] Mr. Hume presented a Petition from the Inhabitants of the Scilly Islands, setting forth,

"That the population of the different islands of Scilly amounts in the aggregate to nearly three thousand souls; that the greater part of the inhabitants of Scilly have long been exposed to severe distress, (which at the present time is frightfully increased), arising generally from the want of employment, and particularly from the very peculiar circumstances under which the islands are held from the Crown, whence result the absence of any due form of civil government and administration of the laws; the evils to public morals occasioned by such want of government, and the misery inevitably attendant on the deficiency of labour, and of parochial or other funds for the relief of the indigent and helpless; that about seven years since, when the cry of the numerous starving families of the different islands had made itself heard throughout the parent isle, a large subscription, aided by a considerable grant from his majesty's government, was raised in England for the relief of the sufferers, and for providing them with permanent employ; and had that subscription been judiciously expended, it would have gone far to prevent the possibility of the recurrence of extreme distress, but that, unhappily, no solid and permanent benefit has been received by any class of persons on the islands from that or any other source, nor are the petitioners aware that any public statement has ever been made of the amount so subscribed (though generally understood to have exceeded 10,000*l.*), or of the manner in which it was expended; the petitioners therefore humbly beseech the House to continue a commission (or to adopt such other measures as to their wisdom shall seem most meet) for the purpose of inquiring into the amount and expenditure of the said subscription, and of the different grants made by government for the relief of the distressed inhabitants of the Scilly islands, since the year 1818; also, to inquire generally into the state of government and the administration of justice at Scilly, the provision in being for the poor of the different islands, and other matters connected with the welfare of their inhabitants, with a view to the adoption of wholesome and effectual measures of relief and employment for a necessitous and starving class of his majesty's subjects."

Ordered to lie on the table.

SALARY OF THE PRESIDENT OF THE BOARD OF TRADE.] The Chancellor of the Exchequer having moved, that the House should resolve itself into a committee on the Civil List act,

Mr. *Hume* said, he wished, before the Speaker left the chair, that the chancellor of the Exchequer would inform the House, whether it was his intention to add fresh burthens to the country; or how he meant to provide for the proposed increase of salary? If a gentleman was going to launch a new carriage, he ought, in prudence, first to ask himself how he meant to pay for it. The right hon. gentleman was increasing the expense of all the public departments at a time when economy was essentially necessary. How was the additional salary of the President of the Board of Trade to be provided for? Was any sinecure office to be abolished? Did the chancellor of the Exchequer mean to propose that the office of Treasurer of the Navy should be done away with? [Here an hon. member near Mr. Hume suggested to him, that the additional salary might be supplied from the income of the bishopric of Durham.] Well, he had no objection; there were ample funds in that quarter.

The *Chancellor of the Exchequer* said, that whatever connexion the treasurership of the Navy might have with the Board of Trade, the Board of Trade had no connexion at all with the bishopric of Durham. It was his intention to state in the committee how he meant to provide for the increase of salary. The more convenient mode, therefore, would be to allow the House to go into a committee.

The House having resolved itself into a committee, and the chairman having stated that the original question was, that 5,000*l.* a year be given as a salary to the President of the Board of Trade, and that an amendment had been put to the effect, that before such salary was granted, it was expedient to inquire whether any of the existing offices could be abolished to make up the above salary, Mr. Hume said that he wished to withdraw the amendment, until he should have heard the right hon. gentleman's explanation.

The *Chancellor of the Exchequer* said, that if he could persuade himself that the office of Treasurer of the Navy was a sinecure, he would readily consent to its abolition, and provide for the increased salary of the President of the Board of Trade out of the saving thus made. But it would be unreasonable to do so, unless it could be shown that the office was unnecessary, or was overpaid. As far as the present salary might be considered over-payment for the duties of that office, disconnected from any other, he was disposed to reduce it. As to the duties of the office, he had held it, and he could assure the committee, that it was very far removed from any thing like a sinecure, and that it would be impossible to transfer its duties to the Bank, as some had preposterously supposed, without injury to the public service. The duty of the treasurer was not merely the acceptance of bills drawn upon him by the commissioners of the Navy. It was also his duty to see that the money was paid to the parties who had a right to receive it. He had besides to attend to the payment of money payable on seamen's wills—an addition to his other duties which had devolved on him some years back, and which was in itself no inconsiderable source of active employment. He had also constant references made to him from the paymaster of the Navy, and other officers subordinate to him; and these required a great portion of his time. Until within a few years back, the law was very defective as to seamen's wills. Frauds to a great extent had been committed on individuals and on the public, by the facility with which money was obtained under fictitious wills. He would mention only one instance—that of a woman who had obtained several sums of the public money which she claimed as the representative of several seamen who had died, and to whom those sums were due. Now, by the regulations which had taken place with respect to wills, the Treasurer of the Navy was personally responsible for any sums of the public money thus paid to individuals to whom they were not legally due. The difference between the offices of treasurer and paymaster of the Navy was, that the former was personally responsible for the sums paid, and the latter was not. If, then, the duties and great responsibility of the treasurer were thrown upon the paymaster, who had only 1,000*l.* a year, he did not think it could be expected that those duties would be efficiently performed. For these reasons, he was not prepared to say that the office of treasurer ought to be abolished, or that its duties should be added to those of the paymaster. He did not mean to assert that those duties were such as would create greater bodily labour or mental anxiety than a man could fairly bear, but still the responsibility was very great. When he accepted the office, he gave security to the extent of his property, such as it was. On his entering office, he found several gentlemen there in situations which were highly responsible, and he did not disturb them; but, within the first year of his office, he found, one fine morning, that he had become legally liable for a sum of between 30,000*l.* and 40,000*l.* One gentleman connected with the office went off to America with 25,000*l.* of the public money, and another soon after became a defaulter to the amount of 10,000*l.*; on the discovery of which that unfortunate person put a period to his existence. These were large sums; and for these, though he had nothing to do with the appointment of those parties, he had become legally liable. Would it, after this, be said that the office of Treasurer of the Navy was not one of considerable responsibility? To unite it with that of paymaster of the Navy was, he thought, wholly out of the question. Formerly, the treasurer was in the receipt of immense sums from the profits on the money which was allowed to be in his hands; but, subsequently, those profits were taken away, and a salary of 4,000*l.* a year allowed instead. The Committee of Finance, in 1817, recommended that the office of Treasurer of the Navy should be assimilated, in point of salary, to that of the paymaster-general of the Forces. What was the situation of that office? Formerly it was divided between two persons, each of whom had a salary of 2,000*l.* a year. This was a mode of conducting the public service which he would hesitate to defend: but, so it was, until by the recommendation of the Committee of Finance, the second paymastership was abolished, and a salary of 2,000*l.* a year, with a residence, and some small emoluments added, which made it worth about 2,500*l.* a year. The committee recommended a similar establishment for the Treasurer of the Navy; but at the same time it was understood, that, if that office were held along with another of public and active employment to which no salary was attached, it should continue to receive the full salary. When he got it, the salary was only 3,000*l.* a year, which was 1,000*l.* less than any of his predecessors in the office had received. Now he would admit, that if the two offices—that of Treasurer of the Navy and that of President of the Board of Trade—were disconnected, there was no reason why the former should not be put upon the salary recommended by the Committee of Finance; namely, 2,000*l.* a year; but, as the present residence attached to it might more advantageously for the despatch of public business be applied to other uses, and as that, with coals and candles allowed, might be estimated at about 700*l.* a year, he would add 500*l.* a year to the 2,000*l.*, thus bringing it on a level with the office of paymaster-general to the Forces. The hon. member for Aberdeen was anxious to know from what funds this additional expence to the country was to be derived; and he seemed disposed to save it out of the whole or part of the salaries which appeared to him useless. Now, he would tell the hon. member, that if he could lay his hand on any useless office, he was very well disposed to abolish it, without any reference to the proposed regulation. The government had shown its disposition to abolish useless offices, in their recent regulations with respect to the boards of Customs and Excise. In the same spirit of reduction, they had not filled up a vacancy which had occurred in the Treasury board, which still remained unfilled, and for this reason,—that they were determined to appoint to no office of which they could not say to parliament, that its duties were necessary to the public service; and, acting on the same principle, he had no doubt that his right hon. friend at the head of the commission of revenue inquiry, would be prepared at no distant period to propose an additional saving to the public, by the consolidation of the boards of Stamps, which were at present acting independently of each other in England and Ireland. He would not say to what extent the reduction might be made, but he thought it would be a saving of at least three out of the ten commissioners. He did not think he had any thing further to observe on this subject at present. He would therefore conclude by repeating what he said last night—that there was no necessary connexion between the regulation of the office of Treasurer of the Navy and the vote before the committee. If the House should be of opinion that that office was not necessary, or that it was overpaid, they would have ample opportunity, in the course of the session, of declaring that opinion.

Mr. *Tierney* expressed a wish that the vote before the committee should pass unanimously, in order to mark the sense which was entertained on all sides, of the great ability with which the right hon. gentleman had discharged the important duties of his office. It was agreed on all hands that the sum of 5,000*l.* a year was not an over-payment for discharging the offices of President of the Board of Trade and Treasurer of the Navy. He could by no means concur with those who thought that the office of Treasurer of the Navy should be abolished. It was an office of very old standing, of considerable public importance, and of great personal responsibility to the holder. He had held the office, and, speaking from the recollection of twenty-three years back, he could assure the committee that it was by no means a sinecure. On the contrary, it was one which required no inconsiderable degree of care and attention. Since that time, he was aware that its duties had been considerably increased by the attention required to the payment of money under seamen's wills. When he held the office, the business was not so great as to occupy the whole of his time, though he did attend for some time every day; but since then the business, he understood, was considerably increased. The committee might judge of the responsibility of the situation, when he informed them, that for five years after he left it, he did not get his quietus from it, so as to be released from all farther liability, though all his accounts were found quite correct; and had he died in the interim, his property would have been still liable. Looking to the nature of the duties of the office, one of the last things in his mind would be to think of its abolition; but it would be also one of the last things he could think of, to place at the disposal of government two situations, one of 5,000*l.* and another of 3,000*l.* a year. Some time ago, when this and other offices were under the consideration of the Committee of Finance, it was clearly understood that there should be kept up some sinecures and offices with high salaries to which no great labour was attached, to be given to privy councillors holding high offices which were not well paid. Thus, the person filling the office of the President of the Board of Trade was to have the treasurership of the Navy, or some such office in addition. When the Board of Control was first established, its chief officers were without fixed salaries, but they were selected from amongst those who held other situations with considerable salaries, but not requiring great personal labour. When, in 1793, the charter of the East India company was renewed, and the Board of Control re-appointed, a salary of 2,000*l.* a year was given to the president, and that situation was held by Mr. Dundas, along with the treasurership of the Navy; and it could not be denied that he discharged the duties of both efficiently. Now, it appeared to him that the person holding the office of Treasurer of the Navy might find a considerable portion of time to devote to other public duties. When he held the office he attended the privy council meetings during the whole of the trial of general Picton; and he did so, because he thought that being liberally paid for holding one office which did not occupy all his time, he was in some degree bound to devote the time he had to spare to other public business of the country. Instead of making the two offices separate, he would suggest that 2,000*l.* a year should be added to the salary of Treasurer of the Navy, when that office was held by the President of the Board of Trade. He thought the duties of the two could be efficiently performed by the right hon. gentleman who at present held them. If, however, the right hon. gentleman would declare—and he would take his word for that, as he would for any thing else—that he was not able efficiently to discharge the duties of both offices together, let him state that, and then let some other course be taken. As to abolishing the office, he thought it was out of the question; but he thought that the person holding both should be liberally paid by the country. He did not concur with those who thought that they should first find out where the increased salary was to come from before it was voted; because it was but justice that no efficient public servant should be without full remuneration for his services. In conclusion he would repeat his suggestion, that 2,000*l.* a year should be added to the salary of the Treasurer of the Navy, when that office was held by the President of the Board of Trade.

Mr. *Huskisson* said, that in the peculiar situation in which he was placed, it could not be expected that he should offer any opinion as to the amount of compensation which should be given to the holder of the offices which he had the honour to fill. Upon that point, therefore, he would offer no remark. He rose thus early to express to the committee his grateful feeling at the very kind sense which hon. members had been pleased to express of the manner in which he had discharged his public duties, and to say that he would humbly endeavour so to discharge them as to deserve in some degree the approbation he had received. He also was relieved from the necessity of saying any thing relative to what some gentlemen called an useless office, the treasurership of the Navy. After what had been stated by his right hon. friend near him, and by the right hon. gentleman opposite, it was scarcely necessary to add, that the business of that department had very considerably increased, as well as the importance of the duties connected with it, since the transfer to it of the management of seamen's wills. It was quite erroneous to suppose that the business of that office was a mere matter of paying money. So far from that, the Treasurer of the Navy was called on to exercise his discretion in the instance of every demand made on him for money. He was obliged to sift the grounds of each claim, and to decide on the merits of the applicant. With so many branches of public duty to be performed the Bank could not be expected to execute them, or to exercise any discretion on the different cases submitted to the consideration of whoever might be placed in the superintendence of that department. Whether from his not having that capacity of mind which the discharge of such duties undoubtedly required, or from whatever other cause, he confessed he did feel considerable hardship arising out of the union of the two offices of President of the Board of Trade and Treasurer of the Navy. He felt not only the difficulty attendant upon a due discharge of the duties of both, but the anxiety which proceeded from the great pecuniary responsibility which attached to one of those offices; the weight of which was, in no inconsiderable degree, augmented by the duties arising from the frequent complaints from the Navy office, the Victualling office, and other departments of the public service connected with it. He declared that, united as those offices were in him, he could not satisfy his mind that the duties of the treasurership of the Navy were, so far as he was concerned, duly and adequately performed. He had a paymaster on whom he placed the greatest reliance; and he had often asked himself what he could do if he were deprived of the assistance of that most useful and meritorious individual. Another person might be appointed to supply his place, of whom he might know nothing, and whose assistance would be of no avail. There were occasions when it was absolutely necessary that the navy paymaster should be a man of experience and talent. In time of war the requisites for that office were of no ordinary character, and it was necessary that the utmost confidence should be placed in the individual who held the office at such a juncture. He would therefore put it to the House, whether it would not be hard if, by any chance, he should be deprived of the assistance of the present paymaster, a stranger who might be totally unacquainted with the nature of the appointment should be placed in the situation, while he (Mr. Huskisson) would be held responsible for the due performance of its duties? If such should ever be the case, he could only hope that the situation was properly filled; but he certainly could not answer for the correctness of an individual of whom he had known nothing. He protested to the committee, that if any event were to deprive him of the services of the gentleman who at present was paymaster of the Navy, it would become a serious question, whether he would not rather resign his own situation than incur the pecuniary responsibility and solicitude necessarily attendant upon a fresh appointment.—If he had succeeded in making himself thus far understood, his observations would go fully to answer the argument of the right hon. gentleman opposite. He was sure the committee must entirely agree with him, that the individual who had other weighty and important duties to perform, ought not to be loaded with the additional burthen of such an office as Treasurer of the Navy. In answer to what had fallen from the right hon. gentleman, with reference to whether or not he had time enough to discharge the duties of both employments, he certainly could not reply that he had not time enough; but he could most truly declare, that, to whatever cause it might be owing, he was not able to do the duties of both offices with that satisfaction to his own feelings, with which he thought every public duty ought to be performed. Beyond question, the country was fully entitled to his best services, and to all his services; but, so long as he remained unable to divest himself of the feelings to which he had adverted, he was convinced that it was any thing rather than a public service to continue in possession of both offices without being able adequately to discharge the duties attached to them. As to himself, the committee would, of course, deal with him as they pleased; but he trusted they would not put a responsibility upon him, to which he could not fairly attend. As to the office of Treasurer of the Navy, it was one in itself perfectly agreeable, provided he could devote due attention to its duties. The patronage belonging to it was, of course, extremely desirable. There was nothing in the character of the office that could be considered repulsive. It had been held by persons of the highest station in public life, and therefore it could not but be gratifying to his feelings to hold a similar employment, were the matter to be exclusively considered in that point of view. With regard to the presidency of the Board of Trade, he had laboured to the utmost of his power to discharge the duties of that office with advantage to the public [hear, hear!], nor was he at any time sparing of his best exertions; but, in fully discharging the duties of that office he could not but more or less neglect those of the treasurership of the Navy. The right hon. gentleman opposite had told the committee, that when he held that office he contrived to do other duties of a public nature. Doubtless, a man of his powers and diligence was capable of holding such an employment with advantage to the public, and also to discharge other duties of importance; but this could not be accepted as a proof that the burthensome duties at the Board of Trade were compatible with those at the Navy office. The further consideration of this question he would now leave in the hands of the House, so far as he was personally concerned. The present proposition was an arrangement respecting himself which was not of his own seeking. Whatever it was the pleasure of the House to do in the matter, it was not for him to offer any opinion; but, before he sat down, he begged to repeat, that if the situation of paymaster in the office became vacant, he did not think that he would continue an hour longer in the situation of treasurer, and incur the responsibility of appointing a new paymaster [hear, hear].

Mr. *Calcraft* observed, upon the imposing manner in which the chancellor of the Exchequer and his right hon. colleagues always magnified the business, and exaggerated the responsibility of any of the chief officers of government. They spoke with such feeling of the pain and anxiety belonging to public appointments, that it really seemed strange, taking their own representations, that they were ever able to persuade any men to undertake such a burthen of care and restlessness. Was it indeed a fact, that these distinguished posts were forced upon unwilling individuals; that honour was thrust upon them; and that, instead of large salaries and small duties being greedily caught at by hungry expectants, they were thrown back upon those who offered them, with a sneer? He apprehended, however, judging from experience, that neither the chancellor of the Exchequer, nor the noble earl at the head of his majesty's councils, was ever obliged to beat up for recruits, and to offer a bounty for the acceptance of a place. The right hon. gentleman had said a great deal of the excellence of his paymaster and of the misfortune he should sustain if that useful officer were to die; but did he mean to say, that there was nobody, second or third, in the department, capable of discharging the duties of the situation. He could not imagine how any difficulty of the sort anticipated could arise. It seemed much more likely that ministers were anxious to uphold and defend a place which they had promised to some officious dependent. That he sincerely believed was the long and the short of the business. A right hon. friend had said, that five years had elapsed before his accounts were finally settled; but it was well known, that the arrears were now inconsiderable. He, and those who usually acted with him, did not wish the office to be abolished; but if the treasurership of the Navy were separated, they were anxious that it should not be connected with a seat in parliament. At that time of day, and in the present temper of the people, it was not to be borne, that another placeman should find his way into the House of Commons. When the chancellor of the Exchequer held the two offices of Treasurer of the Navy, and vice president of the Board of Trade, it had never been hinted, that the duties of the one interfered with the other; and it could not be too often stated, that this was not a fit time to add to the pecuniary burthens of the public, for the sake of relieving the official burthens of the servants of the public. The sum in dispute was, indeed, small, but the principle was important. The chancellor of the Exchequer had said, with apparent self-congratulation, that he could have made out a very good case in defence of places which, in his heart, he was satisfied ought to be abolished. Let his sincerity that night be tried by this test, and hereafter he might tell the House, that he had been driven to make out a good case in defence of the separation of treasurership of the Navy; although in his heart he was satisfied that it ought to be combined with the presidency of the Board of Trade. The right hon. gentleman had taken great credit to himself for giving up one of the lords of the Treasury; but he had forgotten one little fact; namely, that the lord of the Treasury had not been thrown overboard by the rest of the crew, until after ministers had been defeated on the question for abolishing two lords of the Admiralty, and when they were expecting another discomfiture. Unless some pledge should be given, that the situation of Treasurer of the Navy was not to be at the disposal of the government, with a view to increase its patronage, he must vote against the original proposition. He felt, he owned, some little surprise at the different tone which the right hon. gentleman on the other side assumed since last night. He had reason to imagine that arguments would have been produced on the present occasion to strengthen the proposition on behalf of the President of the Board of Trade. He did conceive that it was with a view to bring forward more convincing arguments that the discussion had been deferred. But he now saw that there were other reasons which influenced the chancellor of the Exchequer in wishing to postpone the measure. No doubt the right hon. gentleman did not wish to press his motion last night, because, among other reasons, the opposite side of the House was not so well attended as he could have wished. What was the real motive of the chancellor of the Exchequer in bringing forward the present motion, on the main principle of which both sides of the House concurred? Why, that under the plea of the high character and acknowledged merits of the President of the Board of Trade, he wished to have a situation to dispose of to some one of his supporters. If the single proposition of adding to the salary of the President of the Board of Trade were alone to be discussed he did not think there would be any difference of opinion; because the merits of that right hon. gentleman were equally acknowledged by both sides of the House. But when the measure came fettered as it did by another question, and one which was most obnoxious to entertain, it naturally followed that it met with opposition. The right hon. gentleman for whom the vote was proposed might thank his colleagues for having brought forward the measure in that objectionable way.

Mr. *Curwen* said, he was favourable to the proposition so far as it went to benefit the right hon. the President of the Board of Trade; but he must object to the measure with which it was accompanied.

Sir *M. W. Ridley* admitted, that the great servants of the Crown ought to be fully remunerated, and that no parsimony could be more injudicious, than to reduce their salaries below what their talents and duties merited. A thousand a year might be too little for the Treasurer of the Navy; but, if the amount were increased, it ought to be understood that the occupant of the place should not also have a seat in parliament. He did not wish to vote against the resolution in favour of the President of the Board of Trade, but he might be reduced to that alternative, if the latter part of the question was forced on in connection with it.

Sir *Isaac Coffin* contended, that the treasurership of the Navy was no sinecure. It could be no sinecure, where seven millions a year passed through the hands o the treasurer.

Mr. *Denison* said, he was quite willing to vote 5,000*l.* a year to the President of the Board to Trade, but said, he could not consent to increase the power and patronage of government. The chancellor of the Exchequer had mentioned two defaulters to the extent of 35,000*l.* while he was Treasurer of the Navy. Now, he wished to ask whether the money had been recovered from the principals or their securities?—whether the public had lost it, or whether the right hon. gentleman had been called upon to pay any part of it? If the public had been the losers, nothing was gained by the vaunted responsibility of the Treasurer of the Navy; or rather, as he was paid merely for this responsibility, the public was out of pocket his whole salary, as well as the money with which the defaulters had made away.

The *Chancellor of the Exchequer* replied, that the first defaulter had made off with 25,000*l.* He escaped to the United States, whither he was followed, and by threats (since nothing more could be there done) frightened out of all he had left; namely, about 15,000*l.* The sureties were called upon for the remainder, but still the public lost something. The other case regarded a sum of about 6,000*l.*, and all that was recovered was the amount for which the sureties were bound. A bill had since been brought in to prevent the recurrence of such evils; and if he had not been able to satisfy the lords of the Treasury, that the loss was not occasioned by any fault or carelessness on his part, he should have been responsible for the sum deficient. He had, however, convinced the lords of the Treasury that he had not been at all remiss, and accordingly he was not called upon for the deficiency. Indeed, as he was not in fault, to have compelled him to pay would have been most unjust.

Mr. *Denison* asked, what became of the responsibility so much talked of, when the right hon. gentleman had not been called upon to pay the money?

Mr. *Huskisson* observed, that the money was lost by no fault of his right hon. friend.

Mr. *Abercromby* expressed his regret that this proposition had been brought forward. He had the most sincere respect for the right hon. gentleman, and a high sense of his services to the public; and it was distressing, that this salary should be proposed in a shape which compelled gentlemen to oppose it on public grounds. It was unfortunate, that the popularity which the President of the Board of Trade had so justly acquired in the discharge of his duties to the public, should be exposed to risk by a proposition like this. A great deal had been said about the incompatibility of the office of President of the Board of Trade with that of Treasurer of the Navy. He had no personal knowledge on the subject; but from all that he had heard about the matter it appeared to him that there was no incompatibility between them, and that both offices might be held and adequately managed by one person. The denial of this was one of those official fallacies which were often put forward and defended by ministers. The only argument on the ministerial side which had made any impression on him was the declaration of the right hon. President of the Board of Trade, that if he lost his present paymaster he could no longer retain the treasurership of the Navy. But, where could be the difficulty of finding another person in the office fully acquainted with its duties in all their details? And then as to the responsibility, the answer to the question put by the hon. member for Surrey put an end to all ground of dispute on that head. A loss had been suffered by the public in the office of the Treasurer of the Navy, and the chancellor of the Exchequer, who was treasurer at the time, was not called upon to make up the loss, because it had not happened through his fault. So that the responsibility amounted merely to this: that the treasurer must make up any deficiency that might arise from his own dishonesty or gross negligence. The responsibility was, therefore, another mere official fallacy. The treasurer had only to keep clear of any personal blame; and therefore the responsibility was nothing. But they had the advantage of experience on the subject. Lord Melville had held the office of Treasurer of the Navy along with that of Secretary of State. To be sure, lord Melville had the services of his right hon. friend as his under secretary; but then the President of the Board of Trade had the assistance of the vice-president. The office of President of the Board of Trade was a modern one; and yet the officer was allowed to sit in parliament. The object, in short, appeared to be, to make a separate Treasurer of the Navy, in order to get another placeman's vote in parliament. If they were bound in fairness to grant two new salaries, he would say that they were no less bound on behalf of the public to take care that the influence of the Crown was not unduly increased. Such was their duty. He hoped, therefore, that they would not pass a bill without providing that, in case it was found necessary that the Treasurer of the Navy and the President of the Board of Trade, after the settlement of salaries upon each, should sit in the House, two offices of less importance should be struck out of the list of those, the holders of which were at present entitled to seats. He spoke from a sincere dread of a principle which had in better times appeared to him to gain upon them. There was the office of vice-treasurer of Ireland. He was not intimately acquainted with these matters, and what the practical duties of that office were he did not even now comprehend, except that the holder had to sign his name occasionally in Ireland; but so seldom that he was most commonly to be found in this country. Indeed, he had little scruple in saying, that if that officer had any effective duties to perform, they must, from all that he could observe, be deputed to a vice of the vice-treasurer. It appeared to him that there was no necessity for his presence any where, except in that House, where his vote was occasionally useful to ministers. This practice appeared to him to be a modern innovation, and to demand the serious consideration of the House. He thought that the public ought to be protected from the continual aggregation of influence among the members of this House, and that a bill ought to be brought in, which, by incorporating the office of President of the Board of Trade with that of chancellor of the Duchy of Lancaster, or Treasurer of the Navy, should afford an adequate compensation for the services of the right hon. gentleman. This would be reasonable and just, and the only way in which the vote could be given, so as to make it creditable to the right hon. gentleman. He trusted, therefore, that the chairman would be allowed to report progress; and ask leave to sit again, in the hope that, in the interval, something might be agreed upon which would prove satisfactory to the public, and agreeable to the President of the Board of Trade. Certain he was, as that the Speaker now sat in the chair, that if the House resolved to give the salary to the President of the Board of Trade, but resolved also not to give it in a manner inconsistent with the principles of the constitution, ministers would come down with a proposition which would receive the unanimous approbation of the House.

Sir *John Newport* recommended the adoption of one of two courses—either to unite the treasurership of the Navy with the office of President of the Board of Trade, giving an additional sum of 2,000*l.* per annum to the individual who held those situations, or to extinguish the place of treasurer altogether, and allow the duties to be performed by the paymaster of the Navy. He felt the unpleasant situation in which the committee were placed, and entertained no desire to say any thing which could by possibility appear to impeach their deservedly high opinion of the great zeal and singular talents of the right hon. individual in question. He would gladly be relieved from the dilemma of appearing to undervalue those talents, or compromising the interests of the public by submitting to an undue extension of the influence of the Crown.

Mr. Secretary *Canning* said, that whatever arrangements the House might finally adopt with respect to other offices, he saw no difficulty like that felt by the right hon. gentleman opposite, in coming to a decision upon the present question, which only respected the salary of the President of the Board of Trade. To vote for that salary would not compromise the right of any gentleman to call for an inquiry into the office of Treasurer of the Navy. He denied that this measure would increase the influence of the Crown. It might be right or wrong for the Treasurer of the Navy to sit in that House; but it was not matter of course that the two offices should be held by the same person. Lord Melville had held the office of President of the Board of Control with the treasurership of the Navy; lord Harrowby, the right hon. gentleman opposite, he himself, and the late Mr. Sheridan, had each held the treasurership of the Navy, without holding the presidency of the Board of Trade. During all that time it had never been made a question that the Treasurer of the Navy ought not to be allowed to sit in that House. He maintained that it was perfectly incorrect to talk of it as a sinecure office. It was not so in any one sense of the word. He did not dispute the assertion of the right hon. gentleman opposite, that the duties did not take up more than an hour a-day of his time when he held it: but taking the fact as the right hon. gentleman had asserted it to be, he must still consider this as a most inaccurate way of viewing it. Surely it would not be contended, that, because a great banker only attended his establishment for an hour a-day to inspect accounts which were prepared for him by the clerks, his responsibility was to be classed with the attendance, for the same period of time, by one of the servants of the establishment. From his own experience, however, he could say, that he did not find an hour a-day sufficient for the business of that office. It was true that it fell to him in times of unusual difficulty, and in which the most anxious and undivided attention was required to the duties. Still, if the duties were ever so small, that was not the fair way of considering the subject. It was a rule in all well-ordered governments, that the time which was not required for the duties of any particular office should be at the disposal of those governments. Distribute the business and functions as they might, there would be still left a considerable portion not assignable to any particular department, but which it was but just that government should be enabled to accomplish by the assistance of those who held offices of less efficiency. He could not speak now to the exact rate of increase in the public business, but he pronounced it to be almost overwhelming in every department. With regard to his own office, he could only say, that he did not spare himself; but certain it was, that no man who held it could call one hour of his time his own. He contended, that in the best times the office of Treasurer of the Navy had not been deemed incompatible with a seat in the House, whether held with another office or not. It was now agreed that the President of the Board of Trade was entitled to a salary, and it was not assumed that the treasurership of the Navy could be abolished. He objected to the instance of the vice-treasurership of Ireland being assumed as an increase of the influence of the Crown. That office only replaced the chancellorship of the Irish Exchequer, whose functions were abolished by parliament. As to the salary to the President of the Board of Trade, it was a question which stood on its own merits. It was, in short, nothing more than restoring the salary which had been taken away by Mr. Burke's bill, and that upon circumstances so entirely opposite, as to furnish a complete justification for the measure. The salary had been taken away because the office was then apparently useless. It was now proposed to restore it, because the office had become one of the most effective in the state. There was no other principle involved in the question, and to vote for the salary would not in the slightest degree preclude any gentleman from going into the discussion of the usefulness or the emoluments of any other office.

Sir *George Hill* said, that he felt confident the committee would be disposed to hear from him a few observations on the nature and duties of the vice-treasurer's office, which he had the honour of holding. That office had been so particularly alluded to by the hon. member for Calne, and the necessity of it called in question a short time ago by the hon. member for Montrose, that without interrupting the course of the present debate he begged leave to observe, that he was most anxious for an inquiry into the nature and extent of the duties of his office, and the efficiency with which they were performed; and he would venture to affirm that they were amongst the most important of those not attached to a cabinet situation. In 1816, the office of vice-treasurer was established, when the Exchequers of the two countries were consolidated and united, with a salary of 2,000*l.* annexed. The duties were then comparatively light, with those which had been since thrown upon that office. In 1822, an act was passed enabling the treasurer to make reforms in the Exchequer and military offices of Ireland. In pursuance of this act, the duties of the offices of Auditor-general and the clerk of the Pells in Ireland had been transferred to the vice-treasurer. He had likewise had additional duties thrown on him by becoming, under treasury minute, pursuant to said act of parliament, paymaster-general of the forces in Ireland, and a public accountant before the commissioners of Audit at Somerset-house; and he must beg leave to add, that all these duties were now performed by an establishment of officers and clerks, at an expense to the public of 7,500*l.* which, before these transfers and changes, cost the country 37,000*l.* a-year. This was not the fit occasion for further observation on the subject of his office, but he courted and challenged inquiry.

Mr. *Bernal*, in allusion to the responsibility said to be attached to the office of Treasurer of the Navy, remarked, that he did not perceive in what manner the public were protected from the embezzlement or mal-appropriation of the money. The person who filled that situation was under no sort of responsibility. The office might be entirely abolished by giving a small additional salary to the paymaster of the Navy, who could fulfil the duties conjointly. He contended, that ministers had made out no case to satisfy the House that the two offices could not be efficiently filled by one person for an adequate remuneration. In granting this salary of 5,000*l.* the committee ought to have a distinct pledge from the members of his majesty's government, that they were determined to pursue a system of rigid economy in the public expenditure.

Mr. *Calcraft* rose to propose what his hon. and learned friend had suggested in an earlier stage of the debate, that the chairman should report progress, and ask leave to sit again. By this course, ministers would have time till Monday to reconsider the proposition they had submitted to the House.

Sir *F. Ommaney* urged the propriety of the proposed salary, and defended the office of Treasurer of the Navy.

The committee divided on Mr. Calcraft's amendment: For the motion 44; Against it 83; Majority 39. On our return to the gallery,

Mr. *Hume* was speaking on the amendment which he had proposed on the preceding evening. He said he had been induced to withdraw that amendment, in order to afford to ministers a space of twenty-four hours, to reflect upon what they must see was the unanimous opinion of the House. He had hoped that his withdrawing that amendment would have induced them to adopt the alteration which it recommended; and, although he regretted to find that it had not produced that effect, he was more convinced than ever that the course he had suggested was the proper one to pursue. He was sorry to see neither the right hon. Secretary for the Foreign Department, nor the right hon. member for Knaresborough (Mr. Tierney), in their places; because he thought that, from the account which each of those gentlemen had given of the duties of the office now under discussion, it became more than ever necessary that an inquiry should be made into it. His own opinion was decidedly, that the Treasurer of the Navy ought, under no circumstances, to be a cabinet councillor, being as he was, merely an officer of account. For the reasons he had given, he thought an inquiry ought now to be instituted, whether the office could not be dispensed with altogether, or so modified that another individual might be enabled to hold it, and that the proposed salary of 5,000*l.* a-year might be saved to the country. He never heard so lame an apology set up for any public measure as had been set up that evening for the present proposition. He was certain that, on an inquiry into the means of reducing the present expenses of the government, he could show, that in the Exchequer alone a reduction of 12,000*l.* could be effected. He could not consent to pass the vote for this naked grant alone. The whole subject appeared to him to stand in need of inquiry. As such was his opinion, he felt himself bound to move an amendment which appeared to him to be free from all objection. His amendment would be to this effect:—"That it is the opinion of this committee, that a salary of 5,000*l.* should be attached to the office of President of the Board of Trade; but that it is expedient that an inquiry should be instituted, to ascertain if any, and what, alteration can be made in the office and salary of the Treasurer of the Navy."

Mr. *Maberly* seconded the amendment.

Mr. *T. Wilson* said, that if it had been necessary, he should have been ready to second this amendment, which seemed to him exactly to point out what ought to be done. He much regretted this discussion, which he thought might have been avoided; and he could not help declaring that, in his opinion, the House had been placed in a cruel situation by the conduct of ministers. He fully agreed, that the duties of the President of the Board of Trade were efficiently and honourably discharged; and he believed there was not the slightest difference of opinion as to the propriety of granting the sum of 5,000*l.* as a salary to the right hon. gentleman who now so ably filled that office. The only question was, whether the grant ought not to be accompanied with some condition respecting the office of Treasurer of the Navy. Into that office, however, ministers refused all inquiry, and he should therefore, feel bound to oppose the grant; which he did with the utmost reluctance, on account of the right hon. gentleman to whom it was to be made. He thought the ministers ought to have let this matter remain over until they had enabled the House to ascertain whether it was necessary to continue the office of Treasurer of the Navy, and what ought to be the amount of salary paid to that officer.

Mr. *Hudson Gurney* said, it had been remarked that the proposed measure had found none but official defenders. Now this being an arrangement of office, gentlemen connected with the departments of government might be the only adequate judges; but, it appeared to him of vast importance, that the presidentship of the Board of Trade should, in this great commercial country, be a cabinet office, and one to which a member of the cabinet should be able to devote his time; and the more so, as in the class from which cabinet ministers were, for the most part, taken, there could be very few habitually conversant with the details of commerce. It was allowed, that very great sums passed yearly through the office of the Treasurer of the Navy; and that, when joined to the presidentship of the Board of Trade, it was not possible that the treasurer should give them an adequate attention. The abolishing the office, and transferring its duties to the paymaster, did not appear to him any great economy; as in such case, the salary of the first clerk must amount to nearly the same thing. He did not think, considering the liability of the treasurer as a public accountant, that the proposed reduced remuneration was an extravagant one, and the only argument against the arrangement which he had heard pressed was, that there had been two Whig treasurers of the Navy, one of whom got through his business in an hour, and the other never meddled with it all.

Mr. *Maberly* observed, that the subject was one of the utmost importance, as it not only involved the question, whether there should be salaries to two efficient officers, but whether the influence of the Crown should be increased in parliament by the admission of two ministers instead of one to seats in that House. Such a question ought not to be hastily decided, and he should therefore object to making any grant until some inquiry had been instituted.

The *Chancellor of the Exchequer* said, that the hon. member for Abingdon seemed to imagine that the most important part of the subject was that which related to the admission of two officers of the Crown instead of one to seats in that House. But surely, if that question was to be agitated, the proposed committee was not the place in which it should be discussed. The amendment ought not to be introduced into this discussion, as the two offices were not necessarily connected with each other. He did not think it followed, because ministers declined to mix up these two questions, which were in their nature so distinct, that therefore they intended to refuse inquiry altogether. He thought the amendment of the hon. member for Aberdeen irrelevant, and should therefore oppose it.

Mr. *Baring* said, that the difficulty which the right hon. gentleman suggested arose entirely from the act of the ministers themselves. They had united the two offices, and now they proposed to attach a salary to one of the offices, while they made no promise whatever regarding the other. Nothing gave him greater pain than to vote against the resolution for granting compensation to the right hon. the President of the Board of Trade; but the shape in which that resolution was put, made it impossible for him to consent to it. There was a strong feeling in the public mind, that the talents and exertions of the right hon. gentleman were fully intitled to compensation, and ministers had availed themselves of that feeling, to carry that which he could not designate otherwise than as a job—almost as decided and bad a job as had ever been attempted [hear, hear!]. He trusted, however, that it would not be allowed to pass unopposed, but that it would be watched with the utmost attention through every stage of its progress, that the public might see, that while the members of the Opposition were ready to give every fair compensation to talent and exertion, they were determined to protect the purity of their grants, and to effect every possible reduction. The office of Treasurer of the Navy had been spoken of as one of responsibility; but, from a question which, in the course of this discussion had been put and answered, it was evident that no personal responsibility whatever was attached to the Treasurer of the Navy, in respect of the immense sums which passed through his hands. He begged it to be understood, that he opposed the present resolution, not as a resolution of compensation for past meritorious services, but as a precedent for future practice. If he were mistaken in what he had stated respecting the office of Treasurer of the Navy, his mistake afforded an additional reason for granting the committee of inquiry, since his ignorance of the duties of that office might be shared by others, and could not be dispelled but by the means which a committee of inquiry could alone supply. As ministers refused to institute that inquiry, all he could do was, to meet their resolution with the most determined opposition—an opposition which was directed not against the right hon. the President of the Board of Trade, but against the job which was most unjustifiably grafted upon him.

Mr. *R. Martin* said, he should not have risen, but to answer the observation of an hon. gentleman, that none but the members of government said a word in favour of the proposed measure. Now he, for one, begged leave to say, that he concurred in opinion with every one who had spoken upon the subject of the merits of the right hon. President of the Board of Trade, and the propriety of attaching a more adequate salary to his office. He also begged leave to say, that he should vote most conscientiously for the separation of the two offices. He thought that separation ought to have taken place sooner; but he did not feel the less disposed to give it his support now that it had been proposed.

The committee divided: For the amendment 35; against it 71; majority 36; The original resolution was then agreed to.

HOUSE OF LORDS.

Monday, April 10.

Local Payment of Bank Notes.] The Marquis of *Lansdown* rose to introduce the bill of which he had given notice before the adjournment. The object of it was to make all notes payable at places different from that in which they were issued, also payable where issued. It was not his wish at that time to trouble their lordships by calling their attention to the provisions of the bill until after it should be printed.

The Earl of *Lauderdale* asked whether the noble marquis meant that the bill should extend to Scotland?

The Marquis of *Lansdown* said, he certainly intended that Scotland should be included in the operation of the bill.

The Earl of *Lauderdale* said, he should then have occasion to state to their lordships very material reasons why it should not be so extended. He begged the noble marquis to recollect, that at that moment there was a committee sitting to inquire into the banking system of Scotland. Now, if that was the case, he thought it would be more becoming to defer proceeding with this bill until after that committee had made its report.

The Marquis of *Lansdown* said, that the object of the committee was, to inquire into the effect of the circulation of small notes in Scotland and Ireland; but, whatever might be the result of that inquiry, whether the report should be in favour of, or against the continuance of small notes in Scotland it would in no degree affect his view of the subject. If the result should be the discontinuance of small notes, then the present bill would have no effect as to them. If it should be thought advisable to continue them, then the bill would be necessary.

The Earl of *Lauderdale* said, he was prepared to submit to the committee, that if the measure proposed by the noble marquis were adopted, it would destroy thirty or forty establishments in Scotland. He spoke in the hearing of those who knew that banking could not be carried on in Scotland if the branch banks were to be suppressed, as they must be if this bill should pass. He thought that the noble marquis ought to delay the second reading, until the evidence to which he had alluded was before the House.

The Marquis of *Lansdown* said, he saw no impropriety in the course he proposed to pursue. Whether one and two pound notes were to be suffered in Scotland or not, he was of opinion that they should be payable where they were issued. The noble earl might, if their lordships should assent to the principle of the bill, propose in the committee to leave Scotland out of its operation.

The bill was then read a first time.

HOUSE OF COMMONS.

Monday, April 10.

Salary to the President of the Board of Trade.] The Chancellor of the Exchequer moved, that the report of the committee of the whole House on the Civil List Act be now received.

Mr. *Hobhouse* said, he would take that opportunity, before the report was brought up, to enter his protest against this proceeding, and to express his astonishment, that his majesty's ministers should have chosen that very peculiar time for proposing one of the most uncalled-for acts that could be conceived—that of making an unnecessary addition to the burthens of the country, and to the number of placemen and pensioners now sitting in the House of Commons. Every gentleman must recollect what had fallen from the chancellor of the Exchequer in the speech which he had delivered upon introducing the budget a few weeks ago. He had declared how much he disliked the patronage which, as a minister of the Crown, was intrusted to his hands. He had talked of that patronage in a very proper manner, when he designated it as "paltry patronage," and assured the House that he wished to get rid of it. This was what the right hon. gentleman professed; but the question was, what did he do? Why, in the teeth of his profession, he came down to the House, and asked, as a matter of course, that they would split one placeman into two, and thus make a considerable addition to the already too powerful patronage of the Crown. He did not, on this, or on any other occasion, wish to attach a fanciful importance to any question. He did not suppose that one additional placemn would ruin the constitution, unless it were much deteriorated before; but he had a right to call on the chancellor of the Exchequer to assign his reasons for dividing one place into two. He knew that some of the poorer bishops were allowed to hold other offices, to make up for the deficiency of their annual revenue, Thus the bishop of Bristol had been suffered to retain the mastership of Trinity college, Cambridge, on account of the smallness of his income. But, did any one ever hear of a proposal to remunerate that bishop, by granting him the full extent of his income for performing the duties of one office, while a second person was employed to do the duties of the other; thus employing two individuals to execute that which had previously been very well done by one? The onus of proving the necessity of this proceeding rested with his majesty's ministers. All that he and his friends had to do was to object to it. The gentlemen on the other side of the House were bound to show, that the duties attached to the office of Treasurer of the Navy and President of the Board of Trade, had not been heretofore efficiently performed by one person. Nothing of this kind had, however, been asserted. The right hon. gentleman (Mr. Huskisson) did not state that he could not do the business of both situations. The right hon. gentleman said, he would prefer attending solely to the duties which devolved on the President of the Board of Trade—that was, to perform the business of one office, instead of two, with a better salary; which was natural enough. And here let it be observed, that he made no objection to the increase of that right hon. gentleman's salary. Very far from it. That was not the question; but whether they were to have two officers of the Crown in the House of Commons instead of one? His right hon. friend, the member for Knaresborough, had told them, on Friday night, that when he filled the office of Treasurer of the Navy, in time of war, he performed the duties adequately, by devoting one hour each day to that object. No answer was given to that statement. It remained uncontradicted. The chancellor of the Exchequer only said, that a considerable degree of anxious responsibility was attached to the situation, for which an officer of the Crown ought to be adequately remunerated. That was what he understood the right hon. gentleman to say. Now, he would ask, was the country to pay 2,500*l.* a year on account of this anxious responsibility—not for the duty, as nothing had been said about that? They must, if such was the case, come to inquire what that responsibility was? The chancellor of the Exchequer was asked to define that responsibility. According to his own showing, he had felt a very great anxiety to be released by the lords of the Treasury, when Mr. Tweedie and some other person had become defaulters. But, in point of fact, the responsibility alluded to by the right hon. gentleman was none at all; because it was found that he was not in fault, and therefore he stood absolved. Responsibility, according to the real signification of the word, must mean the liability of a man's fortune to make good the deficiencies occasioned by the running away of any of his underlings. But, as in the case of Mr. Tweedie, if the individual who was at the head of an office was not called upon to make good the deficiency occasioned by the malpractices of his clerks, there was no responsibility. It appeared to him that there was no necessity for any responsibility whatever. He thought the business of the office might be so arranged, that the public could not be losers by the rascality or improper conduct of subaltern agents. The chancellor of the Exchequer had stated, that some labour had been added to the office, in consequence of the arrangement relative to seamen's wills: but that part of the duty was now provided for by act of parliament, and the additional labour had been removed [hear]. If he was mistaken in this or any other of his positions, that very circumstance afforded a reason for granting that inquiry into the nature and arrangements of the office for which his hon. friend had called. What cause, he again demanded, could be assigned for proposing this measure at the present time? He really thought that in bringing it forward his majesty's ministers had not treated the right hon. gentleman fairly. That right hon. gentleman undoubtedly deserved much of his country. He had acquired popularity—but that popularity ought not to be made to carry weight [hear, hear.]. To ask to do that which was highly improper, because the right hon. gentleman had done some acts which deserved approbation, and had obtained him considerable popularity, was not a fit way in which to treat the House or the right hon. gentleman. He did not very well know in what way most effectually to oppose this proposition; but he believed the best would be, to resist the bringing up of the report, and thus give gentlemen an opportunity to enter their protest against this very objectionable measure. He did not like to use harsh words. His hon. friend, the member for Taunton (Mr. Baring), had, however, called this a job. He did not know that it was so; but certainly it looked very like it. The right hon. Secretary for Foreign Affairs had told them that these offices were formerly divided. He knew that; but they had been since united, and he could not conceive why they should now go back to the old system, and employ two persons to do those duties which were efficiently performed by one. It was said to be very hard on his majesty's ministers to raise objections to this proposition. For his own part, he thought it was more hard on his majesty's opposition [a laugh] to compel them to take this course. Where was the necessity for dragging them through the mire, and obliging them to resist an augmentation of the salary of the right hon. gentleman in the mode now proposed? He thought that his majesty's ministers had made use of the right hon. gentleman's character in a way which they ought not to have done; namely, for the purpose of carrying an improper measure. There was not a thinking man in the country who did not look at the proceeding as an attempt to add to the number of placemen in that House, and to take an additional sum of money from the pockets of the people. While he opposed the measure, however, let not the right hon. gentleman think for a moment that that opposition was directed against him. Quite the contrary. He should strenuously oppose the bringing up of the report, in order to give those who coincided in opinion with him, an opportunity of recording their dissent from this unconstitutional mode of doing a very unnecessary act.

Lord *Glenorchy* said, that the right hon. the chancellor of the Exchequer had got much praise, and acquired considerable popularity, in consequence of his repeated declarations in favour of economy, and the anxiety he had shown to lighten the burthens of the country: but, on the present occasion, his principles and his practice appeared to be at variance. He strongly objected to this measure, because he conceived that ministerial influence in that House was more than sufficient at present. The ministerial benches were amply supplied with individuals holding pensions from the Crown. That House ought to be considered a constitutional check on the Crown; but how could that check exist, if they were every day adding to its influence?

Mr. Secretary *Canning* said, that on a question which had excited so much personal feeling, he was very anxious before the House came to a vote, to state, in as few words and as clearly as he could, his own individual view of the subject. Nothing, he thought, could more decidedly prove the spirit of fairness which actuated him, than by assuring the hon. gentleman who opposed the bringing up of the report, that he would take no advantage whatever of the course which he had pursued; but he would view his opposition merely as an obstruction to a grant which he would not dislike, if proposed in some other manner. The hon. member had demanded two or three times, "Why do you bring forward this measure at the present moment? Why do you take so unfavourable an opportunity to introduce it?" Now, the fact was, that the opportunity was not selected by his majesty's government, neither did the suggestion emanate from them. It originated, not with his majesty's government, but with those whom the hon. gentleman had designated his majesty's opposition [a laugh]. He could assure the hon. gentleman that ministers had not the least idea of proposing any augmentation of salary, until the suggestion came from the other side of the House. It was unquestionably true that the suggestion was made at a time when the situation of the country was different from that in which it was placed at present; but that was the misfortune of ministers, not their fault. Their misfortune was, that they had to execute at a less favourable moment, that which the gentlemen opposite had proposed at a more favourable one. That suggestion or proposition was, at the time, received with acclamation; but now the attempt to carry it into effect called forth bitter criticism and severe remark. If ministers had, this year, shrunk from proposing any measure of this kind, on account of any difficulties that existed, he was convinced that the gentlemen opposite would have expressed their dissatisfaction. And he would tell the hon. gentleman further, not only that ministers were not responsible for proceeding at this moment, but that the suggestion had reached them in this way—that if the government did not stir in this matter, some gentlemen on the other side of the House would take it up [hear]. His majesty's ministers, therefore, were no more responsible for the choice of time than they were for originating the measure. He declared, that, although he should be very sorry to stand in the way of any advantage to be derived by his right hon. friend from the intended arrangement, yet if he were called upon to make his election between sacrificing the Treasurership of the Navy and granting a salary to the President of the Board of Trade, he would do his utmost to protect the former office. He would do it upon principle, and because he should fear to do any thing in the way of dilapidating and demolishing the ancient and dignified offices of the state. He ridiculed the idea of a necessary and inseparable union between the two offices as being contrary to their direct history. In questions of official reform there was nothing so apt for their reference as the economical reform of Mr. Burke in 1782, the speech upon which had now become full as much a monument of genius as a record of history. Mr. Burke had succeeded in abolishing the Board of Trade altogether, and doing away the salaries which amounted to 8,000*l.* or 10,000*l.* a year. The business afterwards devolved upon a president, vice-president, and committee chosen from the privy council. In the same speech Mr. Burke had proposed alterations in the offices of the army paymasters, and the Treasurer of the Navy: but he deprecated at the same time any attempt to do away with the importance, much less the existence of either of those offices, because of the rank of the persons who generally filled them. They were generally persons of the highest rank; by which he meant to say a person of eminence and consideration in that House. So far was that great man from the intention of bringing down the fair resources of government, that he only wished to remove from the office of the Treasurer of the Navy a great mass of business which, he thought, would be better conducted by the Bank of England. Though he would have stripped it of that show of business, he proved it to be his own opinion that the office itself ought to form a part of the efficient means of government: he respected it, too, because it was an ancient office, and had always been found useful in forming a government, and because it was, in his opinion, a fit office "for men of the highest eminence and consideration in the House." At that time the Treasurer of the Navy enjoyed large emoluments, as he and the paymaster of the forces held in their hands large balances of the public money. Mr. Burke provided for the separate existence of the office, though he took away this source of advantage from it, by causing all sums in hand to be transferred to the Bank of England. From that period the office had been as often held separately as with another office. Mr. Dundas held it with the presidency of the Board of Control, which, in 1790, was made a salaried office, and the sum fixed upon was 2,000*l.*, in contemplation, as it was then declared, of the 4,000*l.* a year which he held as Treasurer of the Navy. Mr. Ryder, now lord Harrowby, succeeded to the treasurership of the Navy in 1799, but not to the presidency of the Board of Control. Mr. Bathurst succeeded to it, without any other office annexed in 1801. In 1803, the right hon. gentleman opposite (Mr. Tierney) succeeded Mr. Bathurst, without the annexation of any other office. He himself succeeded the right hon. gentleman, without the annexation of any other office or business. Mr. Sheridan succeeded him in 1806, and was succeeded by Mr. George Rose in 1807. The occupation of Mr. Rose was a singular exemplification, in both ways of viewing it, of the error of conceiving the Presidency of the Board of Trade and the Treasurership of the Navy to be inseparably united. Mr. Rose held the office from 1807 to 1812, in conjunction with a much more onerous office—the vice-presidency of the Board of Trade. At the latter period he declined the onerous office of vice-president, and continued to hold the office of Treasurer of the Navy till the day of his death. The declaration of Mr. Burke would still be found good. He who held that office, must, as government was at present constituted, be a man of "eminence and consideration in that House." His time and talents must be at the disposal of government, to assist them in digesting and putting into order that mass of desultory and incidental business, the nature of which it would be impossible officially to define, which yet must command their attention, and which must by some means be done, though all the regular departments were overborne by the pressure of ordinary business. This was not his opinion only, "non meus hic sermo." It was the opinion of one of their own committees. He referred them to the report of the committee of Finance, dated 1817. The salary of the Treasurer of the Navy was at that time 4,000*l.* a year, with a house and other advantages, which must be worth 700*l.* or 800*l.* a year more. In the report of the committee of Finance, dated the 23rd of June, 1817, he found the following observations:—"They esteem the salary paid to the Treasurer of the Navy as much too large, and recommend a reduction on any future appointment to that office, so as to place it on a level in respect of emolument with the paymaster of the forces, its present salary being the same as that which would have been lately received by the paymaster of the forces if the office had been held by one individual. Your committee, however, think it but fair to observe, that in the oldest Naval estimates extant, viz., from 1684 to 1695, while the salaries of the lords of the Admiralty were, as at present, 1000*l.* per annum; the salary of the Treasurer of the Navy was no less than 3,000*l.* per annum: and there is no doubt, that, besides his official duties, the Treasurer of the Navy has been frequently looked to as the person to whom important parliamentary and political business connected with the Naval department and the general concerns of government, should be confided. Whether these latter considerations will induce the House to continue the salary of 4,000*l.*, or reduce it to 3,000*l.* or any other sum, it is not for your committee to inquire. They have not in any case considered themselves called upon to enter into political considerations of this nature, and have recommended the reduction hereinbefore proposed, on a mere view of the duties of the office itself, and on a principle of assimilation to the paymaster of the forces." This was not his language, but that of the finance committee of 1817; from which it evidently appeared to be in the contemplation of that committee, that there might exist, properly, certain offices the holders of which might have time to spare from the particular concerns of their own departments, for the general business of the government, and they alluded to one case—that of parliamentary business, to which such persons had to attend. Every one knew what was meant by the Treasurer of the Navy being retained for the business of parliament. They all knew that the attendance in the House formed a very considerable portion of that business. The usefulness of attending committees above stairs had never been shown more strongly than in a late instance, where his right hon. friend (Mr. Huskisson) sat as chairman. It was well known that the physical powers of a late lamented noble friend of his (lord Londonderry) had broken down in consequence of his earnest attendance on the corn committee; and many men who could easily get through the routine of their office business, found themselves worn by the fatigue of parliamentary attendance. He came now to the various views taken of the two offices, and the proposals for their alteration. Some gentlemen wished to have them both connected; some would have the salary of the Treasurer of the Navy diminished: others complained that government would succeed in bringing another office into parliament. He thanked the hon. gentlemen opposite for the occasional approbation which they bestowed upon government, though he must be allowed to say, that they took back in detail as much, if not more than they gave in gross. They balanced their eulogium on some of the measures of administration by liberal vituperation of its designs. Let them ask themselves, whatever faults government might have, if it had shown any thing like a disposition to increase the influence of the Crown in this respect? They were asked, had they not done this in the case of the vice-treasurer of Ireland? Certainly not. Parliament had abolished both the office and functions of the chancellor of the Exchequer for Ireland, and the remaining business was left to the management of a vice-treasurer. Another case put was that of the mastership of the Mint; and how did that stand? The present master of the Mint, Mr. Wallace, was, at the time of his appointment, at the head of a commission which had been often and loudly eulogized by gentlemen opposite. Had government been possessed with the desire of increasing their strength by places, what hindered them from appointing another person to the mastership of the Mint, and retaining that gentleman at the head of the commission which had earned such applause from parliament? He ventured to say, that there was no instance of any government, since governments had been conducted parliamentarily, showing so little disposition to have officers of the Crown holding seats in that House. They did not hold office by the tenure of a few votes, more or less. Unless they were in possession of their places through the just confidence of the country, they ought not to be in them at all. Whenever that possession came to depend upon their having ten or twenty votes more or less, he hoped the administration would be at an end. But they were not eager to have every officer who might be there, who possessed efficiency, who could add in present strength and credit to the government, though nothing to its stability, sitting with them. They had, on the contrary, shown themselves too lax upon that point. They had done without the presence and aid of officers of government in that House, with whose assistance no government ought to dispense. He remembered Mr. Pitt, in the plenitude of his power, when he was equal in debate to any ten of them now present.—Mr. Pitt at that time was assisted by a Master of the Rolls, sir W. Grant, of no mean strength and ability; and, until the time of sir Thomas Plumer, that officer was never out of the House. It was clear, then, that the present government had shewn no disposition to create offices, in order to catch single votes in parliament. There was another instance, in the case of one who held an office which bore some relation, with respect to the civil law, to the office of Attorney-general, who had formerly usually sat in parliament, and had no seat there at present. In 1804, when a very warm and long debate arose on a certain occasion, the whole brunt of it fell on the master of the Rolls and the king's Advocate. What was to hinder them, if they stood now upon any worse footing than public confidence, from having the aid of two such eligible officers? Was there ever an opposition composed of so many eminent and active lawyers? Men of celebrity in that profession formed the bulk of the present opposition. What an advantage to ministers would it have been to have had the master of the Rolls to have struggled for them upon the Chancery debates? What a superior position they might have taken, had they, instead of their own unlearned succours, been able to meet the logic of the hon. and learned gentlemen opposite with the legitimate, authorized, precedented assistance of the master of the Rolls, and the king's advocate. Did any of the hon. gentlemen opposite suppose it could be no advantage to have those officers present, to whose presence they were unquestionably legitimately entitled? Another instance of their laxity was, in not requiring the presence of the judge Advocate, whose absence no government till now had allowed. Here, then, were three officers, of whose assistance they had suffered themselves to be deprived. He therefore rebutted the charge of looking out to increase the number of placemen in that House. It could not now be believed that in wishing to have a salary fixed to the office of President of the Board of Trade, they were actuated by the desire of increasing the influence of the Crown in parliament, since they had purposely neglected abundant opportunities in which they might have safely introduced persons holding places. No topic was so fruitful of applause as a declaration against the influence of the Crown. But, confessing that, in his opinion, the influence of the Crown needed not in this respect to be enlarged, he wished the House to look to the opposite extreme. What would be the effect of driving out of the house officers who were constitutionally eligible to sit in it? He knew of no law by which the Crown was at present bound to select its ministers from either or both Houses of parliament. For any authority of that kind of which he had any knowledge, the king might send to any two private gentlemen, offering to make one of them his secretary of state, and the other his prime minister. Governments ought, according to the notions of perfection held by some theorists, to be so conducted. Public business was managed in this very way in some countries. He had, however, never heard any gentleman say in that House that he thought such a mode of conducting government a good one for the country. The presence of government officers, then, became only a question of degree, which was not to be met by any plan for counting heads, but by the general views and the immediate character of the government itself. Now, let the House notice the converse of this proposition. Though there was no rule of law to require the Crown to choose its servants from parliament, was there not good sense in the practice? Was this not a most useful check to the choosing of ministers upon a system of mere favouritism? Was it not beneficial to the country that the ministers of the Crown should be men well known in that House—men who had been long in the public eye, and had proved in parliament their fitness for office? Was it not a great security to the public for the efficiency of the officers of government, that they should appear in parliament and prove their capacity for their situations? There were certain offices whose possessors could not be excluded from parliament, without lowering the standard of the government, and such an office was the treasurership of the Navy. For the sake of a vote, it would not be worth while to the government to take the trouble of debating this question. He gave his opinion with perfect disinterestedness, because it did not signify a hair to the government, with a view to a vote, whether the Treasurer of the Navy should be in parliament or not. But the consequence of excluding such officers from parliament would be to make the high offices of state subjects for scramble among mere favourites. The gentlemen opposite might themselves soon succeed to these offices, and he was, therefore, doing them a great service in resisting their wishes on this occasion. If it were acted upon, then they would have for the great offices of state, persons with no higher qualifications for them than those of bankers' clerks. The parliamentary character ought never to be separated from high and honourable office, and never could be so separated, without great injury to the public, and the loss of that respectability which the government of this country should ever maintain. So much for the notion of excluding the Treasurer of the Navy from parliament. And now one word with respect to the salary. That salary was before 4,000*l.* per annum; and at the present time it was 3,000*l.* It was now proposed to reduce it to 2,000*l.* He knew no principle upon which any one of these sums should be preferred to the other; but where he could not find a reason, he must look for a rule, and a rule might often serve for a reason. Now, he found, in the report of the finance committee, a statement, that when this office was held alone, it should be put on the footing of that of paymaster of the forces. Here, then, was a rule; and as the case mentioned by the committee was now likely to arise, that rule might be applied to this office. The salary of the paymaster of the forces was 2,000*l.* with a house. It was now intended to give the Treasurer of the Navy a salary of 2,500*l.*—the additional 500*l.* being in lieu of a house. These were the grounds upon which he thought, in the first place, that the office should be filled separately; secondly, that the person who filled it, ought not to be excluded from parliament; and lastly, that the amount of salary was reasonable.

Mr. *Tierney* protested, that, in the whole course of his parliamentary experience, he had never heard a speech which astonished him more than that of the right hon. gentleman who had just sat down. Positively, any body who had attended to his reasoning must have thought that the whole struggle in this debate—the whole object of every gentleman on the opposition side of the House was, to abolish the office of Treasurer of the Navy altogether; and that the only difficulty with them was, as to the shortest way in which that object could be accomplished. But could any thing be more wide of the fact? Nobody had proposed, nobody had dreamt of such a thing. [The right hon. gentleman was, at this moment, interrupted by a rush of members into the House.] He said he was glad to see his friends coming in in such numbers, as there was now a chance of their having a fair start. He begged the House to consider that the plain and simple question which they were called upon to decide was this—whether the salary of the President of the Board of Trade should be 2,000*l.* or 5,000*l.* a year; and he begged gentlemen to keep to that simple point, and not suffer themselves to be talked into any other proposition. What that had to do with the influence of the Crown generally, it might be for the right hon. gentleman opposite to explain. He (Mr. T.) could not. Nobody had said a word about that influence—nobody had complained that it was too great or too little—nobody had hinted that it ought to be lessened. All that was said was, "Why do you now add to that influence?" He begged gentlemen to consider seriously what it was they had to discuss. An hon. friend near him had called the opposition the "king's opposition." The propriety of this appellation had been recognized by gentlemen on the other side; and indeed it could not be disputed. From his personal experience, he could bear testimony to the truth of the designation; and that experience was no trifle. For years he had opposed the measures of government, because he disapproved of their principles; but when they changed their tone, he had not been backward in giving them his feeble support. My hon. friend (continued Mr. Tierney) could not have invented a better phrase to designate us than that which he has adopted, for we are certainly to all intents and purposes, a branch of his majesty's government. Its proceedings for some time past have proved, that though the gentlemen opposite are in office, we are in power. The measures are ours, but all the emoluments are theirs [cheers, and laughter.] It appears, by the right hon. gentleman's own shewing, that this is our motion. He contends that we have no right to oppose it, because it was we who originally suggested it. It is, in my opinion, immaterial from what quarter the suggestion proceeded. I believe an hon. friend of mine (Mr. Baring) did say, that he considered the salary unequal to the labour required by the duties of the office, and the great talents with which they were at that moment discharged. But this suggestion was thrown out last session; and no fault was found on our side of the House this session, because no notice had been taken of the suggestion. But it seems to have lain heavily on the right hon. gentleman. He steps forward to relieve himself, and, as he assures us, to gratify us; and he says "I will accede to your wishes; I will take the salary you suggest for one office, and I will keep the other office with the salary just as it is." No wonder that we did not know our own child. Under the right hon. gentleman's nursing, he had changed it for a lusty bantling, in the shape of a new Treasurer of the Navy; an office which I undertake to prove utterly useless, in a sense which I will hereafter explain. The right hon. gentleman says, that we, of the opposition, are not sufficiently on the alert, with regard to our own interests; and he has declared that government is in no want of such supporters as it may gain from this measure. I differ from him widely. I think that government do want support. I never saw a session when they wanted it more. The right hon. gentleman may not be aware of the full extent of his obligations to this side of the House; but I can assure him, that if, as he asserts, he would not consent to stay in office with a pitiful majority of twenty, he would, without our support, have been long ago driven from his present honours. If we take away our support, out he must go to-morrow. The right hon. gentleman has taken credit somewhat too largely for the reduction of the official seats in this House. True, we have lately had no master of the Rolls here. But sir Thomas Plumer, towards the close of his life, could not, if he would, have given his personal support to the measures of government. His infirmities rendered him incapable of attending. If we have no master of the Rolls now in this House, it is because he is in another place, where he is required to be bodily present for the aid and support of the lord chancellor. But the right hon. gentleman complains, that the opposition is made up of lawyers. It is true that we breed some lawyers on this side, but it is also true that we sometimes breed them for the other side of the House. Half their strength has come out of our nursery; not much improved certainly by transplanting. "You have two civilians," the right hon. gentleman says;

"there is an advantage!" But what has he, let me ask? He has one civilian (Dr. Phillimore), and a judge in the ecclesiastical courts (sir J. Nicholl) who is at least worth two civilians. The learned civilian (Dr. Phillimore) was not seated at the Board of Control purely on account of his attachment to Indian affairs. He no doubt considers the 1,500*l.* a year which he receives, as a general retaining fee for the support he is to render to the right hon. gentleman; who, on his part, seems to think that the moment a lawyer accepts office, he is bound to vote with his party through thick and thin. As to lawyers in general, there are surely enough on the other side of the House. They have the Attorney-general, and the Solicitor-general, and the chief justice of Chester—he, by the bye, is one they have borrowed of us—and they have a Welch judge, and perhaps they will, in a little time, have Mr. Kenrick; while we only have those who maintain their station by the independent exercise of their talent. The real question before us, however, is, whether the proposed salary of 5,000*l.* shall be given to my right hon. friend, the President of the Board of Trade, in consideration of the great ability with which he has filled that office? That is the footing on which I wish to see the question stand. I mean to consider the proposition as a compliment to the right hon. gentleman, for I am not convinced that his office ought permanently to be a cabinet office, I am favourable to the proposition, because I am of opinion that government will be strengthened by increasing the rank and importance of this officer. I therefore heartily hope he may have the augmentation desired. The right hon. secretary says that the suggestion originally came from our side. So let it be, if he pleases; but in what shape did it go from us? Why, undoubtedly, as a suggestion to add 2,000*l.* to the salary of 3,000*l.* already received by my right hon. friend as Treasurer of the Navy. As to the incompatibility of the two offices which he now fills, will any hon. gentleman lay his hand on his heart and say, that he verily believes any inconvenience has resulted to the public service, or to the individuals holding those offices during the last six years? I feel myself bound by every means in my power to oppose this attempt to make the presidency of the Board of Trade a substantive office. I regard it as a wanton waste of the public money; and I am equally opposed to the miserable project for reducing the salary of the Treasurer of the Navy from 3,000*l.* to 2,500*l.*, in order that it may be given to somebody for his support in this House; and for aught that I know, too, to a lawyer [cheers].

The House divided: Ayes 87; Noes 76. Majority for receiving the report, 11.

List of the Majority; and also of the Minority.

MAJORITY.

Alexander, James
Arbuthnot, right hon. C.
Antrobus, G. C.
Bradshaw, T.
Brogden, James
Bankes, George
Calvert, John
Canning, right hon. G.
Cholmondeley, lord H.
Coffin, sir I.
Cockburn, sir G.
Cocks, James
Cooper, C. S.
Copley, sir J. S.
Courtenay, T. P.
Dalrymple, col.
Davis, Hart
Denison, J.
Divett, T.
Downie, R.
Douglas, W. R.
Drummond, H.
Dunlop, J.
East, sir Hyde
Elliot, lord
Ellis, C. R.
Evelyn, L.
Farquhar, sir R.
Foster, L.
Freemantle, W. H.
Goulburn, right hon. H.
Grant, right hon. C.
Grant, sir A. C.
Gurney, Hudson
Hardinge, sir H.
Hart, General
Hill, sir G.
Holford, G. H.
Holmes, W.
Hulse, sir C.
Inglis, sir H.
Irvine, John
Knox, hon. T.
Leake, W.
Lewis, W.
Lewis, F.
Lindsay, hon. H.
Lockhart, W. E.
Long, sir C.
Lopes, sir M.
Lushington, S. R.
Lushington, col.
Madocks, W. A.
Martin, sir B.
Martin, R.
M'Naughton, F. A.
Montgomery, sir D.
Morland, sir S. B.
Nicoll, sir J.
Onslow, serg.
Oxmantown, lord
Palmer, R.
Palmerston, lord
Pearse, J.
Peel, right hon. R.
Pennant. G. H.
Percy, hon. W. H.
Phillimore, Dr.
Plummer, J.
Prendergast, M. G.
Rae, sir W. B.
Robinson, right hon. F.
Ross, C.
Rowley, sir J.
Sandon, lord
Somerset, lord G.
Staunton, sir G.
Strutt, J. H.
Trant, W. H.
Ure, Masterton
Wallace, right hon. T.
Warrender, sir G.
Wellesley, R.
Wetherall, sir C.
Wynn, right hon. C. W.

TELLERS.

Herries, T. C.
Horton, R. W.

MINORITY.

Abercromby, hon. J.
Althorp, lord
Astley, J.
Baillie, J.
Bankes, H.
Baring, sir T.

Baring, A.
Bernal, R.
Birch, J.
Bright, H.
Burdett, sir F.
Butterworth, J.
Calvert, N.
Calvert, C.
Campbell, W. F.
Caulfield, hon. H.
Cavendish, C. C.
Colborne, N. W. R.
Corbett, P.
Crompton, S.
Cumming, G.
Davenport, D.
Denison, W. J.
Ellice, E.
Fane, J.
Fellowes, W. H.
Fergusson, sir R.
Gaskell, B.
Glenorchy, lord
Grant, J. P.
Grenfell, P.
Grosvenor, hon. R.
Hamilton, lord. A.
Honywood, W. P.
Hughes, W. L.
Hume, J.
Keck, G. A. L.
Lamb, hon. G.
Lawley, F.
Lethbridge, sir T.
Leycester, R.
Lloyd, S. G.
Lockhart, J.
Maberly, J. L.
Marjoribanks, S.
Martin, J.
Monck, J. B.
Munday, F.
Newport, sir J.
Ord, W.
Osborn, lord F. G.
Parnell, sir H.
Phillips, G.
Pitt, J.
Portman, E. B.
Pym, F.
Rice, T. S.
Rickford, W.
Ridley, sir M. W.
Robarts, col.
Robarts, A. W.
Robinson, sir G.
Russell, lord J.
Russell, lord W.
Scarlett, J.
Sebright, sir J.
Smith, R.
Thompson, ald.
Tierney, right hon. G.
Tulk, C. A.
Warre, J. A.
Whitbread, W. H.
Williams, T. P.
Wilson, T.
Wood, ald.
Wrottesley, sir J.

TELLERS.

Calcraft, J.
Hobhouse, J. C.

The resolution, "That his Majesty be enabled to grant a Salary of 5,000*l*. to the President of the Board of Trade," was then reported.

Mr. Secretary *Canning* expressed his regret that the smallness of the majority would prevent him from persevering in the course which, as a matter of principle, he had conscientiously supported; but which, as a matter of expediency, he now felt himself bound, under all the circumstances of the case, to abandon. The expression of opinion had, undoubtedly, been very strong, and his majesty's government would not further press the measure. As it seemed to be the wish of the House, they would consent to the union of the ancient office of the Treasurer of the Navy with that of the President of the Board of Trade [hear, hear!].

Mr. *Tierney* rose, with heartfelt pleasure, to assure his majesty's Government, that they had, by this act, justly earned the approbation of "his majesty's Opposition" [a laugh].

The *Chancellor of the Exchequer* said, that his right hon. friend had intimated the course which government intended on this occasion to pursue. It was his duty to carry that intention into effect, and it appeared to him consistent with right feeling, and with a due sense of what belonged to his situation, to move the proposition himself, without suffering any restraint from false shame. Many severe and groundless imputations had been cast upon government in the course of the debate, but it was not necessary to do more at that time than to notice and repel them generally. He would now move, "That the Resolution be amended by inserting the sum of 2,000*l*. as the salary of the President of the Board of Trade, instead of 5,000*l*.

Sir *M. W. Ridley* seconded the amendment, which he had intended to move himself, if the right hon. gentleman had not anticipated him.

Mr. *Hume* hoped, that in the general satisfaction he might be allowed to offer a few words. He was happy to find that the ministers had been obliged to abandon their original proposal, and he called upon the opposition to take courage from the circumstance. If they did their duty much might be done in the way of reduction before the present parliament would close its labours.

The resolution as amended was agreed to, and a bill ordered to be brought in thereupon.

HOUSE OF LORDS.

Tuesday, April 11.

PREVENTIVE SERVICE.] The Earl of *Darnley* rose to bring under the consideration of their lordships, the subject of which he had last night given notice. Although, the noble earl said, the late lamentable occurrence on the coast of Kent, attended with the loss of a valuable life, had been the immediate cause of his calling their lordships' attention to the subject, this was not the only circumstance which had influenced him, nor was that the first time he had felt an interest in the matter. It was not so much the particular transaction he complained of, as the system. He could not believe, indeed, that such an order as the one issued by the officer, that whenever three persons were assembled together, and did not answer or did not disperse, they were to be immediately fired at (although that order had been laid before the coroner's jury), had ever been authorized, or would be confirmed by the officer's superiors. Such an order would lead to a breach of the peace with very innocent persons, and men engaged in very peaceable avocations might be treated as smugglers, and their meetings have a similar termination. To show that the transaction alluded to was not the only one of the kind, he would mention, that he had been credibly informed, that there was now standing a tomb-stone in Hastings churchyard, on which it was inscribed, that the person beneath it was a fisherman, pursuing his peaceable avocation; that he had been hailed by the boats of the Preventive Service, and not having immediately answered, he had been fired at and shot. This had been stated on the coroner's inquest, and a verdict of wilful murder had been returned. He also knew that the operation of the system was vexatious to all those who lived in the neighbourhood. It was some years ago since a gallant officer, captain M'Culloch, supposing, probably, somewhat like his illustrious namesake, who had written on Irish absenteeism, that it was the same thing whether the men eat their provisions on board or on shore, and that they could be as well trained up for seamen while living on the land, as under his eye on board-ship, had proposed this method of employing our seamen during peace. At first, he believed, the men so employed were seamen; but, as they had been discharged, their places had been supplied, not by landsmen merely, not even by raw countrymen, but by Irishmen, who could scarcely understand the language of the people among whom they exercised their functions, and were unacquainted with the use of the fire-arms they were intrusted with. He had once been arrested himself, on landing near his own house, at Sandgate, in the middle of the day. Not only was he stopped by one of the men, but his portmanteau was examined, and the man claimed the right of examining his person. This he had denied; but if the man had persisted, he would have had no remedy, as the man was armed. He had insisted on seeing the officer who had disavowed the proceeding, and with proper feeling had made an ample apology, and had offered to have the man punished, which he (lord D.) had declined, as he did not think he was in fault, but the system. When this had happened to himself in the middle of the day, their lordships might judge how vexatious the same inquiries must be to the poor people who constantly lived within the sphere of the activity of those administrators of martial law. Great as were the evils of this system, he believed that smuggling had not decreased under it, but was as much carried on as ever. Indeed, it was absurd to suppose, as long as the temptation was so great, that any system could put a stop to it. The Preventive Service could not seal the whole coast from Sheerness to Portsmouth hermetically against the introduction of commodities. As his motion was not to be opposed, he would not enter further into details. He was convinced, even if the object proposed was attained, that it was purchased at too dear a rate, by exposing the property and persons of all those who came under its influence to the rudeness of men unable to exercise the power intrusted to them with discretion. But, if the object were not attained, as he was disposed to believe it was not, then it was the duty of parliament to interfere and put an end to it. He should now move, "That there be laid before their lordships a Return of all the Officers and Men employed in the Preventive Service, distinguishing the able seamen; and also an account of the annual expense of the whole Preventive Service."

Lord *Melville* said, that the noble earl was entirely misinformed. No such command or order had been given as that which he had mentioned, justifying the men to use violence of any kind, on any of his majesty's subjects, that could lead to a breach of the peace, or an interruption of lawful avocations. No such order had been given; on the contrary, orders had been repeatedly given, that they should, on no occasion, use any kind of violence, or even resistance, unless they were first attacked. It could not be expected, that men with arms in their hands should not defend themselves when attacked. They were intitled, like other men, under similar circumstances, to use their arms. On the night of the late accident, armed bands of smugglers had been seen collecting in sundry places on the coast, near Hythe, where the accident had occurred. Notices of this had been given, and the men ordered to be particularly on the alert. The individual mentioned had been alarmed, and took on himself to do that for which he was responsible to the law of the land; which was, in fact, in direct disobedience of the orders he had received, and unhappily he had discharged his musket at his own officer. Before that particular service was established, troops had been employed to perform the same duties, and people were then as liable to be fired at, for not answering, as at present. It was necessary, for the security of the revenue, that some such force should be employed. If the noble earl supposed that smuggling could be prevented on that part of the coast, by the ordinary revenue officers, he was much mistaken. They were quite inadequate to keep down the smugglers. Within a few days information had reached the Admiralty, which would satisfy the noble earl, had he seen it, that there was a necessity to have a large force on the coast, not only to protect the revenue, but to preserve the peace of that part of the country. For assemblies of armed men to resist the officers of the government, whether they were revenue officers, soldiers, or sailors, in the execution of their duty, had long ago been declared a capital offence. Such assemblies must be put down by the strong arm of the law. The system of the preventive service was projected, as the noble earl said truly, by a gallant officer now no more; and it had partly for its object to keep our seamen employed during peace. As we had to keep up a naval establishment, was it not as well so to employ the men? The noble earl had not explained how he would proceed in protecting the revenue; but he could assure the noble earl, that if seamen were not employed for this purpose, a large force, either of infantry or cavalry, must be kept on that part of the coast to prevent smuggling. The noble earl said, he did not think smuggling had been prevented; but at least it had been changed. It was now almost confined to the narrow part of the channel, where boats could cross, and by means of signals, collect a body of men to run, at a moment, any quantity of goods. It was this peculiarity which made it necessary to employ a large force on that part of the coast. The noble earl said, the persons employed were not seamen; in fact all the men engaged in that service, like all the rest of the seamen, were discharged every three years, and other men entered; but the noble earl would find, from the returns for which he had moved, that the principal part of these men were not landsmen. The noble earl supposed, probably, that the duty on spirits might be lowered; but if the duty on foreign spirits were lowered, it would be necessary to lower the duty on spirits made at home; and, as far as that part of the country was concerned, with which he was most intimately connected, spirits were already as cheap as was beneficial either to the morality or the health of the people. Their lordships must make up their minds to place some coercion on the production of spirits, or the people of this country would be drugged with intoxicating poisons. In his opinion, it was not expedient to lower the duty on home-made spirits; and unless this were done, it was not possible to lower the duty on foreign spirits. Formerly much smuggling had been carried on, both on the western and eastern coasts, and on the western coast lives had been lost. Now, no such thing occurred, and smuggling and armed bands were heard of only about Hythe and its neighbourhood. This was a strong proof of the efficiency of the preventive service in protecting the revenue. The noble earl would see, by referring to the amount of the duty levied on spirits for several years past, that he was mistaken in supposing that smuggling had not been by this system effectually checked.

The Earl of *Liverpool* said, it was not so much from his official situation, as from his residing for a portion of the year in the neighbourhood of the coast, and witnessing the effects of the system, that he wished to say a few words on the subject. It was now twelve years since the preventive service had been established; and the circumstance brought under their lordships' notice was, he believed, the first accident which had happened. That had not been the consequence of any orders given, as had been mentioned by his noble friend; but was the act of an individual, and was, in fact, contrary to the general orders. One accident could be no argument against a system. Accidents occurred in every department of business; and even in those amusements to which some of their lordships devoted a part of every year. Their lordships must adopt one of three systems—they must employ a naval force, a military force, or they must lower the duties. As far as the two species of force were concerned, he should have thought that noble lords who in general displayed such a constitutional jealousy of the military, would have preferred the employment of seamen. As to owering the duties, he did not think that practicable; and if a sufficient revenue were not obtained by indirect, it must be got by direct taxation. The service had more effectually answered the object than had been expected. The noble earl said, that smuggling was not prevented; and allowing the correctness of the remark, though it was not correct to the full extent, still he should contend that it had been changed, and was now confined to the narrow part of the channel. In his own neighbourhood he could say that it had been nearly extinguished. It was perhaps, the highest praise he could give the distinguished officer, now no more, with whom the system had originated, that he had carried it into execution with so much mildness, that even in the neighbourhood where smuggling had been extinguished, he was generally beloved. He never had known an individual whose services had given more general satisfaction, or whose loss was more deeply regretted. He could not pay a higher tribute to any public officer, than to say that he had executed such arduous duties, in such a place, and among such men, as to give general satisfaction. He had no objection to the motion of the noble earl; but he had no doubt that he would find, when the returns were before their lordships, that the service was much more effectual than he now supposed. There must be occasional hardships with any system of police, whether it were military, constabulary, or naval; and these hardships and inconveniences were the price that was paid for its advantages.

The motion was agreed to.

HOUSE OF COMMONS.

Thursday, April 13.

Banking System in Scotland.] Mr. *Huskisson* said, the House had received a great number of petitions, praying that no alteration should be made in the currency of Scotland, and it now became his duty to present one of a different description. The petition which he held in his hand pointed out the great benefit which Scotland would derive, if the same system, with respect to the currency, which prevailed in England, were applied to the former country. It was not necessary, nor would it be regular, to enter at present into the argument of the petitioners, which appeared to him to be very forcible. They particularly applied themselves to the agriculturists of that part of the united kingdom, and demanded whether their best interests would not be served by avoiding those fluctuations of price which must necessarily occur, until the present system was put an end to. He would offer no opinion on the subject, as it was at present under consideration in a committee of that House; but should merely discharge his duty by presenting the petition. It was from the town of Dunse, and was signed by 120 respectable inhabitants.

The petition was then read, setting forth, "That it appears to the petitioners that where the medium of exchange in any country consists entirely or principally of Bank-notes, a power is possessed by the issuers of these notes to increase or diminish the circulation at their option; a power which may seriously affect the fortune of every individual in the state, and which, therefore, ought not to be possessed by any set of men whatever; and late experience has too clearly shown that while, in the period of confidence, such a state of circulation gives every facility to over-extended and gambling speculation, so upon the occurrence of panic and embarrassment, the country is left without the means of carrying on its regular business, and distress is thereby greatly augmented; that the political and commercial circumstances of recent times have been accompanied with more sudden and extensive vicissitudes in private fortunes than were ever before witnessed, and the daily sight of great and rapidly acquired wealth stimulated the sanguine to venture every thing in hopes of the same success, and the salutary disgrace that used to attend bankruptcy having almost entirely lost its restraining effect, from its unfortunate frequency, even the most cautious and considerate were hurried along by the prevailing current; the petitioners believe that these evils were much increased, and have been continued, by the fluctuations of the currency; that the petitioners, although removed from the great commercial and manufacturing districts, have yet not only felt the swell caused by the distant storm, but in the agricultural county in which they reside have seen many instances of the bad effects of the variations in the price of the produce of land, and the occasional extension and contraction of accommodation by the banks, by which speculators who were engaged in extensive improvements, and who appeared to be in the way of realizing fortunes, were suddenly ruined by the credit upon which they depended being recalled; and the unsteadiness of prices, and the spirit of speculation, encouraged, if not engendered, by a paper currency, have reduced many of the tenants in different parts of Scotland to a state of precarious dependence on the indulgence of their landlords, a state of things by no means desirable for either party; that the petitioners are aware that improvement has been accelerated by a paper currency, but without attempting to show that a less rapid improvement might have been desirable, they are satisfied that every inquiring mind will perceive that such rapidity of progress would be dearly purchased by the sacrifice of the proverbial prudence, economy, and patient industry of the inhabitants of that country; that a metallic currency, which is the only true representative of value, by being the representative of the labour by which it is procured, can never increase nor diminish with such rapidity as to affect the prosperity of the country, and a return to this currency would, in the opinion of the petitioners, be a means of lessening those evils already experienced, as well as of avoiding others, which, though hitherto little known to the people of Scotland, would, should such occur in the present state of the circulating medium, overwhelm the whole population, and which, therefore, it is one of the first duties of a wise legislature to prevent; that for these and other reasons the petitioners view with much satisfaction the steps already taken by the House to restore a metallic currency in England, and with full confidence in the wisdom and caution of the House, pray, that similar measures may be extended to Scotland in such time and manner as to the House may seem meet."

Ordered to lie on the table.

LICENSING SYSTEM—PETITION OF DR. EDWARDS.] Mr. *Hume* rose to present a petition from Thomas Edwards, a doctor of laws, and a magistrate for the county of Surrey, on the subject of the present Licensing System; a subject that must be viewed by all as one of very great importance. The petitioner had selected the present period, because the hon. member for Oxford, had introduced a bill respecting the licensing system; and he hoped that the suggestions contained in his petition would not be disregarded. It was manifestly necessary that well-regulated houses should be established for the benefit of the public, and that a proper power should be given to keep them in a quiet and orderly state. But an attentive perusal of the whole of the evidence taken before the committee on this subject showed that the existing system, so far from having the effect of encouraging the establishment of well-regulated houses for the public good, had, on the contrary, been a cloak for the establishment of houses of the worst description. They all knew, that when a licence was granted, it raised the value of a house from 500*l.* to 1,000*l.* The profits on money thus laid out were very great; and were raised by charging the public exorbitant prices for beer and spirits. It was a very lamentable thing to find a magistrate speaking, as the petitioner did, of the conduct pursued by his brother magistrates in granting licences. He stated that, on licensing-day, he had often witnessed a system of jobbing, altogether disreputable to persons holding the situation of magistrates. There were twenty public houses in some streets, while in others there was not one, because no person had taken the precaution to induce the magistrates to grant a licence. Now, he could not see why any licence should be required for a public-house more than for a house in which tea and coffee were retailed. The person who wished to obtain a licence for the sale of tea and coffee produced his money, and the licence was granted as a matter of course; and if the same practice were adopted with respect to persons who sold beer and spirits, it would be attended with great convenience. If any abuses were discovered, the law in existence was sufficiently powerful to put them down. The petitioner was anxious, and so was he, to do away with the necessity of applying to magistrates for licences, and thus to put an end to the jobbing system which at present prevailed.

The petition was then read, setting forth,

"That although the provisions of the present act which regulates the licensing of ale-houses may, with some modifications, be sufficient in the country divisions, where the public-houses are thinly scattered, where irregularities are less likely to occur, and, above all, where the weight and influence of the owners of public-houses are of small amount compared with the rank and independence of the country gentlemen who act as magistrates, a total change of system in the divisions adjoining London is requisite to prevent those abuses which were proved in evidence in the years 1816 and 1817, before the committee of your honourable House, called the Police committee.

"That in a single division, in the vicinity of London, the number of public-houses licenced by a few individuals greatly exceeds the total amount licenced by all the other magistrates in the county; and that the temptations which the patronage holds out for mercenary characters to endeavour to get into the commission of the peace are enormous, as the grant of a licence immediately raises the saleable value of a house five hundred pounds and upwards. That from eight hundred to a thousand public-houses are licenced in a single division adjoining London; that sometimes twenty public-houses are licenced in a single street; that in other places they are licenced in clusters, and even next door to each other, without the smallest regard to the legal principle of public utility, for which object alone the power to grant licences was placed in the hands of magistrates; and that this excess is stated by independent magistrates and publicans, in their evidence before the Police committee, to be one of the greatest causes of crime, as it is impossible for the publicans to live by fair means where they are so numerous, and equally impossible to have a sufficient watch over their conduct.

"That although the legislature has been anxious to exclude brewers and distillers from acting as licencers, the independent magistrates, in the divisions adjoining London, find themselves associated, at licencing sessions, with brewers, back-makers, brick-makers, timber merchants, and other tradesmen, who are identified in interest with the owners of old, and the applicants for licences to new, public-houses, and that it is impossible so to multiply the exclusions as to destroy personal interest and private connection.

"That although the licence is a personal grant to the publican of one year's duration, requiring only that the House should be specified in order to secure the convenience to a neighbourhood where it is alleged to be wanted, a most pernicious patronage has been created, by treating the licence as an appendage to the house for the benefit of the owner, in consequence of which, the owner is enabled to extort an oppressive rent from the publican, or to compel him to take his beer of a particular brewer, to the great injury of those respectable brewers, whose superior liquors would, under other circumstances, command a preference, and to the ultimate ruin of the publicans, while the public are obliged, by this monopoly, to drink beer of an inferior quality, and at such a price as will cover the extravagant rents and premiums given for houses which magistrates thus endow with perpetual privilege. That, among other evils, this perpetuity of privilege has the effect of preventing the victuallers' trade from finding its natural and wholesome level; for, as long as the owner of the privileged house can find enough on the premises to satisfy his exorbitant and unjust rent, extorted from another man's licence, or can hope to obtain a large premium from a brewer by threatening to sell to an opponent, it will be his policy to draw in successive victims, and to keep his house in a trade which must inevitably bring his tenant to a gaol. That it is in evidence that some of these houses will change their tenants three or four times in a year.

"That it is in evidence before the Police committee, that the worst-conducted houses are often the most valuable on account of the increased consumption; and that when an unprincipled owner has put in an unprincipled tenant to push a profligate trade, licensing magistrates have protected the interests of the owner, and perpetuated the licence by allowing the tenant to transfer as soon as a complaint has been made or threatened. That it is in evidence before the Police committee, that when parish officers and respectable inhabitants have attended to establish their complaints on the day fixed by the magistrates themselves for the hearing, they have been immediately silenced, and told by the magistrates that a new man had been since put in under a transfer, and that the complaints which applied to the former tenant could not be heard against the new one. That in reference to this practice, the Police committee, in their report to your honourable House, have observed, that "the most disorderly and licentious conduct of houses belonging to particular owners does not insure the loss of licence; but that if at last, from the notorious infamy of the parties complained against, the magistrates are compelled to interfere, the least possible punishment is inflicted, the tenant is shifted, a real or fraudulent transfer is made, and a new landlord takes possession, to follow the old practices with aggravated misconduct.

"That Mr. Bowles, in his evidence before the Police committee, as a licensing magistrate of the Brixton East half-hundred, states that a house was licensed in an improper situation, at Camberwell, as he believes, through the influence of a brewer, who held the lease, and that, after repeated misconduct, the publican was allowed to save the licence from forfeiture, and himself from punishment, by a transfer—a majority of the magistrates stating that under counsel's advice, which they had taken, they had no discretion or power to refuse a transfer under any circumstances.

"That, at the licensing session, in the same division, in 1824, your petitioner had occasion, with others, to oppose an attempt, supported by the votes of seven magistrates, to allow a publican, in a neighbourhood greatly overstocked with public-houses, to transfer his interest to another, after a complaint which was fatal to his own renewal had been fully established, and the same advice was again adverted to; but when such advice—viz. the opinion of sir Samuel Shepherd—was produced and read to the end, it appeared that his advice was, that the magistrates had a discretion, and Mr. Bowles had therefore been misled. That in the course of the same proceeding, in 1824, the publican applied to transfer, after he had notice that the complaint had been entered, and it was on two several days proposed to take the application respecting the transfer into consideration, without waiting to hear the complainant's evidence, on the ground that, in the case of a transfer, the magistrates had nothing to do with the misconduct of the party transferring. That on one of those days, a bye-law of the division was produced, which enabled an owner to put forward a new man at the same session, whenever the licence should be forfeited by misconduct.

"That it is in evidence before the said committee, that active and respectable parish officers have ceased to complain of disorderly houses, finding it to be useless; and that respectable magistrates have withdrawn, in despair, from licensing sessions. That the proceeding by criminal information is of very rare application, from the difficulty of proving the corrupt motive. That it appears from the evidence before the Police committee, and it is known to your petitioner from other sources, that contests for opposite principles have occasionally taken place; but that the disinterested magistrates, who, in the neighbourhood of London, are much occupied with their own professional or commercial pursuits, cannot spare the time necessary to enable them to counteract the artifices and concealments of interested parties on the several transfer days, and at licensing sessions in divisions, where from eight hundred to a thousand houses are licensed.

"That the existing act has left all those abuses which were proved before the Police committee completely untouched and open to repetition, and that your petitioner is fully convinced that it is impracticable, by any legislative provisions, to guard against the most serious injury to the public interest and the public morals under the present system, in the divisions adjoining London. That he humbly submits to your honourable House, that the separation of the patronage in those divisions from the magisterial authority, by which the patronized are now expected to be controlled, can alone preserve the unpaid magistracy from the hazard of that degradation and disgrace which must always attach to practices such as were proved before the Police committee. That if it could be supposed that magistrates derive any additional respect from the exercise of extensive discretional powers, the suburban magistrates, by availing themselves of their right, as country magistrates, to attend the licensing sessions of the nearest country divisions (to which, since the institution of police-officers, they more properly belong), may still participate in a discretional power, more abundant than that which is enjoyed in the more remote divisions by country gentlemen, where the public-houses are but few.

"That your petitioner further most humbly submits, that if the trade were thrown open in the divisions adjoining London, under strong penalties for misconduct, and good securities, the public houses would be less numerous and more respectable—the public would obtain their beer at a lower price and of a better quality; while the respectable brewers would no longer be subject to the hardship of being compelled to purchase privileged houses at large premiums, to preserve a trade which, under a better system, the superiority of their beers would command, and to the mortification of seeing their property, thus compulsively purchased, placed at the mercy of tradesmen acting as licensing magistrates, whom, if they do not employ, they may offend—of tradesmen who are also the fathers of brewers, their rivals, and of tradesmen who supply the speculating builders of new houses with materials, and the payment of whose bills may depend on the speculator being able to obtain a license for an opposition house to that which the system has already obliged the brewer to purchase, at a large premium. Your petitioner, therefore, most humbly implores your honourable House to take such measures in respect of the premises as to your wisdom shall seem meet."

Ordered to lie on the table.

REPRESENTATION OF EDINBURGH.] Mr. *Abercromby* rose, in pursuance of notice, to move for leave to bring in a bill "to amend and alter the Representation of the city of Edinburgh." He observed, that before he engaged in this cause, he had given the subject his most anxious attention, and had satisfied himself of the reality and magnitude of the evils, and of the facility with which a remedy might be applied to them. When he formerly presented a petition from Edinburgh in favour of an alteration in the representation, he had entered into a detail of all that related to the composition of that small body called the town council. The population of Edinburgh was above 100,000, and the electors of a representative for this population were only thirty-three, nineteen of whom were actually chosen by their predecessors, and would in their turn appoint their successors. The object in view had been met by general arguments and fears as to remote consequences, to reply to which he would now address himself. The main argument relied upon was this:—that under the pretence of seeking a fair and free representation for Edinburgh, the real purpose was, to obtain a substantial parliamentary reform; and that if the change were made with regard to Edinburgh, it ought also to be extended to Glasgow, Aberdeen, and other places. He fairly admitted that his view was, that reform in Scotland ought not to be limited to the capital of Scotland only, and he was well aware that he should be opposed by all the high-mettled anti-reformers, who took fire at the smallest innovation. To reason with such persons would be hopeless: but he would appeal, with more expectation of success, to another class, who had been scared from conceding this moderate relief, by the daring assertion, that the slightest approach to reform was tantamount to revolution. He would tell this class with all sincerity, that he respected their prudent caution, and believed them well intentioned, and accessible to reason. He tendered to the House a proposition for legislating only in the single case of Edinburgh, because it was distinguished from all others in this respect; namely, that the town council of that city had the power of choosing a member of parliament, without being troubled with the assistance of any contributary boroughs. Such was not the case with other cities or towns of Scotland. If the effect of opening the representation of Scotland should be to prove that the election of a capable, independent, and honest member gave content to the people and softened asperities, under the hope that parliament would hereafter, in its wisdom, extend the principle to other places, then he should have the opportunity of saying that the experiment had answered, and that experience was in his favour, for accomplishing a gradual and progressive improvement in Scotch representation. If, on the other hand, it should turn out that the supposed amelioration led to riots and tumult, that it created unreasonable desires and unjustifiable demands, those who now resisted all alteration would then also be armed with experience in their favour. One strong recommendation of the plan of reform which he should suggest was, that it would be slow and gradual. The numerous body of persons whom he should designate as reformers in Scotland, took a sound view of the subject: they had the good sense not to complain that Edinburgh was selected in the first instance, because they were aware, that if the House refused it to the capital, it would be vain for other parts of the country to entertain a hope of redress. They felt, also, that the course now taken was safe and prudent, since it afforded parliament an opportunity to pause, or even to recall an act it had imprudently sanctioned. Another argument required notice. It was not imputed to him that he was a republican, but that he had lent himself unwarily to others who maintained those principles. He most distinctly and unequivocally repelled the charge; and appealed to the contents of the petition, consisting merely of a narrative of facts and grievances. His object, and that of those who concurred with him, was not revolutionary, but perfectly constitutional; to assert the contrary was most unjust and injurious, and a vain attempt to create a prejudice against the proposition. Thus, some argued that the present system wrought well, and that under it the city of Edinburgh had advanced in prosperity and improvement. He admitted that the city of Edinburgh had advanced in prosperity, but certainly not by means of the town council. On the contrary, he contended, that its prosperity had advanced in spite of the town council. He could speak to this from his own experience; for, to his own knowledge, in almost all the measures for the improvement of the city—and there had been many within his experience before the House—the town council was found arrayed on one side, and the great body of the people on the other. On these occasions the town council had failed, and the people had succeeded. And why? Because parliament saw the nature and bearings of the case, and did justice between the parties; and because a certain noble lord, who, in these matters, was actuated by sound and liberal views, was thrown in the right and popular scale. By this means, the measures for the prosperity of the town had been carried in opposition to the town council.—But it might be said, that he had not stated any particular instances of abuse. He protested against the principle of his being obliged to do so. It was enough for him to shew, that the measure was calculated to do much good, and that it was perfectly safe. This was the case of a trust for the benefit of the public, and not a private property belonging to individuals, to be disposed of for their interests alone; and if parliament should be of opinion, that the trust could no longer remain usefully in their hands, they ought to be deprived of it. But if he were desirous to shew instances of abuses of trust on the part of the town council, he could easily do so. He could shew a list of honours and profits, held by the provosts and their relations, which would appal those who called for instances of abuse, and effectually prevent their doing so again. He could shew, by a report before that House, how the magistrates had alienated lands belonging to the town for their own private political purposes, in a manner which no court of justice would have sanctioned, if the decision of such questions could be referred to courts of justice. He could shew instances in which, in the event of canvassing for the office of Provost, no vote was solicited, on the ground that one man was more fit for the trust than another. The argument always was, "vote for this man, for you may depend upon it that you have as fair a chance for the good things of this government under him, as under any other." But he had no object in making war against individuals, for his design was not to accuse individuals, but to destroy the system, and he hoped that parliament would concede the means of doing so. In the preamble of the act of 1469, by which this system was established, it was stated as the reason for the enactment, that broils and turmoils had arisen in the elections of magistrates for the burghs, because these elections were made by the common people of the burgh. Now, while the act provided what was considered as a sufficient remedy for this, its real intention was to favour the good of the people, and secure the fidelity of their trustees by rendering the elections annual instead of for life, as had before been the course. He did not mean to entangle himself with that point generally; but merely wished to show that the real good of the community had been the object in view, both at and before the passing of the act of 1469. But it was found that this system did not work well; and, from the passing of the act of 1469 till the Revolution, many laws had been passed to correct the gross abuse which this system had generated. A commission had been appointed a considerable time before the Revolution, and another at the period of the Revolution, to investigate the state of the burghs; both the commissions proceeding upon similar narratives of the prevalence of gross and flagrant abuses; and the convention parliament had passed an act or resolution, stating, that the only effectual remedy consisted in re-establishing the system of election. But, from the time of the Revolution till no very distant period, Scotland had been twice convulsed by rebellions, and those were not times when any complaints of the grievances sustained from the Burgh system could be expected to be attended to. But when the storms were passed, from 1784 down to the present time, the evils of the system had been loudly and constantly complained of. The effects of that system were these—1st, it excluded the people from any control over the conduct of those who managed their affairs; and, 2ndly, it produced a venal and corrupt magistracy, who attended not to the interests of those for whom they acted, but to their own—a very natural consequence of the possession of uncontrolled power; and, therefore, this power they ought no longer to possess. That was what he contended for. He had by no means overstated his case, nor was he unsupported in his views by many eminent authorities who were fully acquainted with the subject. He could produce the authority of an eminent author, a great philosopher, and a learned judge, who had stated "that the greatest evils resulted from this system, especially by the corruption and bribery which it generated at the elections of members to serve in parliament, which had a tendency to fill the House of Commons with profligate and unprincipled men." Such was the opinion of the great and justly celebrated lord Kaimes. The only other argument on the other side was, that any alteration in the system was contrary to the articles of Union; but those articles had not been considered as opposed to any alteration which might appear to be clearly advantageous. It was well known that, in 1747, the heritable jurisdictions had been abolished, although they had been reserved by the articles of Union. Yet these were much more in the nature of private property than the property of burghs. They might be sold, they might be mortgaged, like private property; and yet, although the object of the articles of Union was more strictly to prevent change in matters of private, than in matters of public polity, the heritable jurisdictions were abolished. Then the court of session had been remodelled; nay, a new method of trial had been introduced, which had been long established in this country, but was unknown before in Scotland. And these were alterations in the legal constitutions of Scotland, which appeared to be most strictly guarded against by the articles of Union. Perhaps, many worthy men might be afraid to stand against a riotous mob of electors; but no man of courage and virtue need be afraid to stand before the householders of Edinburgh. Many of them were connected with the courts of justice; and of all their class, they were, upon the whole, the most independent; except, perhaps, men in a similar situation in London. Why should parliament be afraid to give them the right of election? Did not the example of England testify and prove, that where people of rank, wealth, talent, and virtue, offered themselves as candidates in popular elections, the people were generally disposed to prefer them to others? And why? Because their station enabled them to turn their trust with the greatest effect to the public good Why, then, should not this system be adopted in Scotland? If public trusts were more abused in Scotland than in England, it could only be owing to the want of sufficient power in the people to control those who were supposed to act for them. Then he intreated the House further to consider, that a person might very consistently be favourable to reform in Scotland, who might be opposed to it in England; since, in Scotland, there was not one popular election, from which the real sense of the country could be collected. In England there were many popular elections. There was not one instance of such an election in Scotland. Every Scottish member, if he was fairly to state his sentiments, could not but confess that he sat there as the representative, not of the interests of the people of Scotland, but of the interests of some private individuals, which might be decidedly opposed to the general interests of the public. Suppose a case, that on any occasion the member for Edinburgh (Mr. W. Dundas) and the town council were on one side, and the people of Edinburgh on the other, was there any doubt that the right hon. gentleman would prefer his own interest and that of the council to the interests of the people? The whole people of Scotland might be on the one side, and their trustees on the other. And, was it not extremely mortifying to the people of Scotland, that they should see the people of England and the people of Ireland in possession of these rights of popular election, and that they alone, of all his majesty's subjects, should be excluded from that privilege? A more unreasonable, a more unjustifiable system could not be conceived. It was a mere jobbing system, which excluded all idea of a proper attention to the interests of the public. Could the people of Scotland be satisfied with such a state of things? Was it worth the while of parliament and the government to carry the people of Scotland along with them? If it was, he could assure them that nothing could be more satisfactory to the people of Scotland generally, than to concede thus far at least to their wishes. It was a specific project, not involving the question of reform in general. The question was, whether such a body as the respectable householders of the city of Edinburgh should have any thing like a share in the election of those who were to be intrusted with the management of their interests. He would conclude by moving, "That leave be given to amend and alter the Representation of the City of Edinburgh."

Mr. *William Dundas* rose to oppose the proposition, the object of which was, he said, nothing less than to destroy the existing vested rights of the magistrates of Edinburgh. He was not surprised that the hon. and learned gentleman should have been chosen as the champion of such a proposition, since he had before so ably advocated the plan; and also because he was himself so splendid an instance of the power of popular and independent election. In what shape did this proposition come before the House; and with what views? The design which it openly manifested was, to beat down the charters, and extinguish the existing rights which had lasted for ages. The hon. and learned gentleman had contended, that the prosperity of Edinburgh had not arisen from the good conduct of the magistrates; but that that city had flourished in spite of their conduct. There he was at issue with him; and would contend that the prosperity of Edinburgh—he did not mean to confine himself merely to streets and squares, but the prosperity of Edinburgh as it consisted in the wealth and comfort and flourishing condition of the people—did arise from the good conduct of the magistrates and town council. Was there any charge against the magistrates? Not a word. No serious charges of corruption could be proved. A noble lord had, on a former occasion, moved for a committee to inquire into the state of the burghs, and when called upon to name his committee, the noble lord named almost all of them from his own side. A ship load of books and papers had been sent for; and what was the result? Was any corruption discovered? Was any censure proposed? Not a word of censure or imputation on the conduct of the magistrates of Edinburgh! Would they, then, degrade those magistrates now by entertaining a proposition like this? What could others expect, if the magistrates of Edinburgh were treated as if they had been guilty of some crime? Parliament had certainly disfranchised some boroughs, upon proof of gross misconduct at elections; but here no such thing was alleged. Were the magistrates of Edinburgh, then, to be the first victims selected for punishment without any crime alleged against them? The hon. and learned mover had observed, that the articles of Union were not designed so strictly to prevent interference with the rights of burghs, as with the rights of those who had held the heritable jurisdictions. Such was not the opinion of lord Hardwicke, who had maintained, that the heritable jurisdictions were not guarded by the articles of Union with any thing like the same solicitude as the rights of burghs. He fully agreed with lord Hardwicke; and after these articles of Union, so solemnly ratified, was England now to violate them? Was the richer country to turn upon the poorer? The stronger upon the weaker? He could not believe that England would be guilty of such injustice.

Mr. *J. P. Grant* said, that the state of the case was this: that thirty-three persons, out of a population of more than 100,000, returned the member to serve in parliament for the whole of that population. The right hon. member who spoke last contended, that it would be a great injustice to deprive these thirty-three persons of their vested right so to return the member of parliament for the city of Edinburgh. But the right hon. member seemed to have forgotten, that this was not a right for their own private benefit and advantage, but a trust confided to them for the benefit of the public. In other words, if they held a private right, it resolved itself into a public trust. It was not contrary to the articles of Union to inquire into, and modify the exercise of such a right. The very speech of lord Hardwicke to which the hon. gentleman had referred, showed the contrary. "The general provision of that treaty is, that the laws of Scotland shall continue in full force, as before the treaty, but alterable by the parliament of Great Britain; with this difference between the laws which concern public policy and those which concern private right, that the former may be made the same throughout the whole united kingdom; but that no alteration be made in the latter, except for the evident utility of the subjects within Scotland."* Why, then, this proposition did refer to a matter of public policy, and the argument against it, founded on the articles of Union, was totally irrelevant. If this had been a project for radical reform—although he did not exactly know what meaning the hon. gentleman opposite might attach to the word radical—but if this had been a proposition for a sweeping and wide-spreading reform, without a due regard to caution and prudence, he would not give his support to the proposition. But the object here was to remedy certain defects in a certain particular place, where the remedy was loudly called for, and might be easily supplied. All were agreed, that where a special case of corruption and abuse was made out, then a borough might be even disfranchised. If any particular case of corruption or venality occurred, the House proceeded to reform it, not as a matter of punishment, but as a matter of law, and of "general utility to the realm." If punishment, and not law, were their object, it would be unjust to the last degree to visit the innocent and the guilty alike. Yet this was the practice. Whenever it was proved that corruption prevailed in any particular place, the right of the electors was so far diminished, that they were only left to the exercise of it in company with many others who were admitted to the same right. In a recent instance, the right had been taken away from the corporation altogether, and transferred to a distant quarter of the country. Take the representation of England generally, and it was a popular representation; but in Scotland there was no such thing as a popular election. Why, then, should they not seize the first opportunity which presented itself of giving at least one instance of an election in Scotland where the people might have the power to make a choice (and he did not think that any place could be selected for the experiment better than the city of Edinburgh), and thus have the means of knowing practically what was the opinion in Scotland on the subject? But it was said, that popular elections were attended with danger. If so, then England, at the present moment, was in a most dangerous situation, for her representation was of that character. Still he could hardly think that they who maintained the former part of the argument could find proofs of the latter, and the impossibility of such proof showed the absurdity of the first position. In England there was representation of various kinds: from the interest of the aristocracy down to that of the lowest class of the people, all were represented; but in Scotland no one was represented. The first thing that struck a person in that country was, that there was no representation; and the next, that the thing called representation was all of one kind. In the counties a man had a right of voting, without an acre of land; merely by the possession of pieces of parchment. In the burghs, the system of popular election was not known. The little corporations elected whom they pleased, but the people had no share in it. There was not even one member elected by the voice of the people throughout the whole country. Now, he thought it would be impossible even to govern Scotland otherwise than as a province or colony, until she obtained something like a fair representation in the legislative assembly of the empire. The general welfare of the united kingdom required that the feelings of the Scotch people should be consulted, and their interests promoted, by the adoption of the principle on which the present motion was founded.

Sir *George Clarke* rose to protest against the doctrine which he had heard laid down, that the question before the House did not involve that of general reform; seeing that when once the safeguards, which protected the ancient rights and privileges of boroughs, were broken down, it would be impossible to say where the work of innovation was to stop. As a principle, he begged to deny that the House ought to interfere with the rights and privileges of any corporation, except in cases where those rights had been abused by the great body of those by whom they were held. In England no interference with the rights of boroughs was ever attempted by parliament, except in such cases; and it required that the clearest proofs should be given of venality, before it removed the right of election. This was the principle adopted in the recent transfer of the right of electing two members from Grampound to the county of York. He therefore called upon the House not to set an example, for the first time, of interfering with the ancient privileges of a city, against the electors of which no delinquency had been proved, or even charged. Why, he asked, should Edinburgh be the first to be thus interfered with? It had its peculiar mode of election. So had the cities and boroughs of England each their peculiar modes of election. In some the right of voting was extended to all householders; in others, to freeholders and freemen only. He would admit that in Edinburgh the number of electors was small, but in some cities in England the electors were not more numerous. Why, then, begin with Edinburgh? Why, if an experiment was to be tried, not begin with some city in England; and then, if it succeeded, let it be extended to other places which might require it; but he would protest against making an experiment on the privileges of a corporation, in which the first step must be a violation of the articles of union. He, however, would contend, that there was no necessity of making the experiment at all, and that if they once passed the sacred barrier, they would find it extremely difficult to know where to stop. It had been asked, whether any danger could be apprehended to the constitution from giving the right of election to the great body of the enlightened citizens of Edinburgh? He would answer, no. But if they departed from the present mode, he did not see why it might not be extended to all householders; and then he knew there were many among the reformers who would extend it to that mode of election which gave a vote to every man who had arrived at the age of twenty-one years. He thought that, looking to the effects of the system as it was at present, it would be much more safe not to interfere with it; for it would be impossible to do so, even in a slight degree, without letting in the whole question of general parliamentary reform. If he looked at the state of Scotland—at the rapid advances she had made in the arts and sciences—at the great improvements in the moral condition of the people—he saw no ground for changing a system under which such a state of things had grown up. As to the question before the House, it was the same on which a meeting had been held in Edinburgh, and a petition agreed to, about two years ago. That meeting was held in a large theatre. It was attended by many very able orators, and the whole thing had an air of novelty about it, which excited considerable interest at the moment. On getting up the petition this year, however, the same interest was not excited; and, so certain were the promoters of the petition, that the same interest was not felt on the subject, that they called no public meeting. He was in Edinburgh at the time the petition was in the course of signature; and he could state, that the great majority of the inhabitants knew nothing about it. The first thing that was publicly known of it, was an advertisement from a gentleman active in promoting it, in which he called pathetically upon the inhabitants to sign it, and mentioned several shops where sheets lay for signature. In that advertisement the parties feelingly deplored the want of that zeal in the cause which it was said had existed on a former occasion. He mentioned these circumstances, that the House might not be led away with a belief, that the petition was the result of any general or zealous feeling on the subject to which it related. The hon. and learned gentleman by whom this question was brought forward, had stated, that the reform which he proposed, was not intended to apply to any part of the kingdom but Scotland. That very limited range would not, he was sure, satisfy many of the learned gentleman's friends. They would have a much more extended kind of reform; and if this bill were allowed to proceed, there was no doubt the House would soon hear of other bills brought in to disfranchise Bath, Portsmouth, Salisbury, and other places, where the number of voters was but small. He would not trouble the House with any further remarks on the question. It had been so ably discussed on a former occasion, that all he could now urge would be only a repetition of what had before been much better said by others. He would conclude by giving his decided opposition to the motion.

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* See Parl. Hist. vol. xiv. p. 12.

Sir *R. Fergusson* said, that he also was disposed to be very brief in his remarks on the question before the House. Indeed, lengthened observations were unnecessary on this occasion. The question was short and simple; and in the few words which he had to say on it, he would address himself rather to the English members, than to those who represented Scotland. The simple question was, what was the nature of the constitution of that

House? Was it not that they who sat as members should represent the people? If any one held a different opinion, let him avow it. But if the constitution of the House was, as he described it, it must follow, that those who were returned by Scotland were not fit to sit there as members, for there was not one man among them sent there by the people. Some were sent by small corporations, others by the holders of pieces of parchment, who did not possess a single acre of land; but in no case was there an election by the people. Was this, he would ask, a state of things which ought to be allowed to continue? Indeed, so much had this miserable state of non-representation been felt in the Scotch burghs, that on a former occasion they all, with one exception, petitioned that House against it. Under these circumstances, he would give his cordial support to the motion.

Sir *Francis Burdett* said, that he rose with some difficulty on this occasion, from a feeling that his interposition in the debate might be considered an interference with the more peculiar duties of the Scotch members. When this subject was before the House on a former occasion, he had not taken any part in the debate, not because he felt at all indifferent to the petition of so enlightened and respectable a portion of the people, but from an apprehension, that, as the case of the citizens of Edinburgh was peculiar, and brought on as a separate question, and not connected with the principle of general parliamentary reform, there might be an unwillingness on their part for his advocacy; that they might say "non tali auxilio" to any proffer of his weak support. Nor did he think that he should have arisen even on the present occasion, but for the direct personal appeal made to Englishmen by his hon. and gallant friend who spoke last. The zeal and earnestness with which the first mention of this motion was opposed by the right hon. member for Edinburgh afforded a decided argument in its favour. The right hon. member had given proof of what a zealous member ought to be who had an interest to defend, and what perhaps the people of Edinburgh might expect on their behalf had they the power to choose a representative. The system of representation, as it was called, which his hon. and learned friend's motion had introduced to the notice of the House, was one of the most scandalous and unblushing exclusions of the right of the people—one of the most barefaced and corrupt perversions of the public duties of corporations to private ends—that the ingenuity of man could devise, and he thought that great praise was due to his hon. and learned friend for having exposed it to the view of the House and the country. He would own that there was one circumstance which made him approach this subject with less zeal than he should otherwise be disposed to do. It was, that it was not connected with the general question of reform in parliament, for it was his earnest wish that all the people of this country should be cordially united in their pursuit of that great good. The case which his hon. and learned friend had made out was completely unanswerable in every part. The corruption which it described was perfect in its kind. It was one entire chrysolite, "totus teres atque rotundus," without flaw or blemish—without one single alloy of good; and such was the vice of this system of corruption, that it was in vain to point out to its supporters, that the granting of this tardy grace to the city of Edinburgh might for a time shut the door on the general question of reform; it was in vain to point out to them, that a small concession of this sort might be a good set-off for a time against the demand for more extensive reforms; it was in vain to tell them any of these things. Their vigilance was not to be relaxed; their repugnance to any, even the smallest kind of reform, was not to be overcome. The hundred eyes of Argus might be closed one after the other by the pipe of Hermes, but nothing could close the eye of corruption in that House, nothing could silence "the still small voice of conscience" in its supporters;—that conscience which made them so feelingly alive, so sensibly alarmed, at even the slightest movement by which the reign of unmixed corruption might be disturbed. Talk to those gentlemen of one evil, and they meet you by mentioning the existence of twenty others. Thus one sort of corruption was made the defence for another, or an excuse at least for its continuance. His hon. and learned friend pointed out the atrocious system of representation in Edinburgh, and he was immediately told in answer, that that of Bath was equally corrupt. He would admit it was so, but was that a reason why the corruption of Edinburgh should be allowed to endure? He would admit that it would be a most desirable improvement, that the respectable inhabitants of both cities should be allowed to choose those who were to represent them, and that a few apothecaries should be deprived of the privilege of sending mock representatives in the one case, and a dozen electors from sending a sham one in the other. But, the principle to which he alluded was not confined to one sort of evil. Let any instance of corruption be complained of, and up started gentlemen in their places and pointed out twenty cases still more corrupt, and then contended, that, unless these were removed, the particular corruption first complained of should be allowed to continue. From the very temperate manner in which this subject had been introduced to the House, he did hope that it would have the support of some portion at least of his majesty's ministers. They, or a portion of them, had of late adopted some very liberal measures, for which he admitted they were entitled to the thanks of the country—in conjunction, however, with those who had been well described on a former evening by his hon. colleague as "his majesty's Opposition;" and, as one good turn deserved another, he hoped that the active exertions of the latter in support of those liberal measures would be admitted. And, as he had mentioned the opposition, he must say, in passing, that, long as he had had a seat in that House, it had never fallen to his lot to sit with so honourable an opposition as that which now filled the benches on his side. But to return. He did hope, that they who were the supporters of the administration — or rather, the corks on which it was enabled to swim—would give their sanction to a measure which must prove at once so agreeable and so beneficial to the public. He had used the word "administration;" but he thought it was a misapplication of the word to use it as describing that which was not one, but rather two halves of an administration—somehow knit together as one body, but having separate views on almost all leading questions of political importance—chained together like two slaves at the same oar. What Mezentius was it that made this unnatural junction of the living and the dead, "complexu misero?" Or perhaps he might better liken them to the double monster, mentioned in The Tempest—two monsters in one—one body, but two heads and two voices; so little of union was there in their general principles. But though thus divided, there were those among them who were entitled to the highest praise and admiration.—He had, on a former evening, listened with unmixed pleasure to the most excellent speech of one right hon. gentleman. He had heard him eloquently describe abstract principles of philosophy, and ably defend their application to measures of political government. The right hon. gentleman had now an opportunity of bringing some of those principles into action. He might apply some of his reasonings to the case of the city of Edinburgh, and give a proof that he was not to be scared by the fear of innovation, from the application of some of his philosophical principles, where it might be made with general benefit to the state. He asked the right hon. Secretary for Foreign Affairs to show to the House and the country that he was inclined practically to advance those principles of enlightened and liberal policy which he had so ably and so eloquently advocated on other occasions. He called upon that right hon. gentleman to take the present opportunity of doing so, and he confessed that he could not see how he could refuse that call. It was due to his own character and consistency of conduct to adopt the line of conduct which he had pointed out; and he sincerely hoped that the right hon. Secretary would not disappoint his expectations. Should the right hon. Secretary, however, adopt another course, he defied even all the eloquence of which he was possessed to make any impression tending to shake the strong case which was now before the House. He defied all the powers of his mind, and all the ingenuity of which he was master, to affect that case; and he called upon the right hon. gentleman, in defence of his own principles, and in justice to his own character, to support the present motion. If the citizens of Edinburgh should be made eligible, by being admitted to the privileges of freemen, he sincerely hoped that the recognition of their claims would have the most salutary effect, and that it would lead to consequences of a still more beneficial nature. He hoped that the principle would be extended to other places; and he owned that the recognition of the rights of the citizens of Edinburgh would give him the most heartfelt satisfaction. If, however, the measure should be defeated, he would console himself under the impression, that the refusal of the present motion would show to each part of the united kingdom what might be expected from the justice of his majesty's ministers. He sincerely hoped that the rejection of the present motion would spread through the country, and call for a general and complete reform,—a measure which gentlemen on the opposite side of the House had such just grounds to fear. He hoped, however, that justice would be done on the present occasion, and that both sides of the House would agree as to its expediency. It would afford him great consolation to think that they would become a united band on the great question of reform. He hoped to see that question one day carried. It was one which must eventually succeed; for the reasons which called for its adoption, it would be impossible to resist for any length of time. According to the great lord Chatham, "a reform in the representation of the country would be the means of infusing new health and vigour to a worn-out and decrepit constitution." He could have wished that the present motion had been connected with the question of general reform; but as that was not the case, he hoped the introduction of this bill would be the first step to that great measure. If, however, the present motion was refused, the people of England, Scotland, and Ireland, might give up all hopes of ever having that object accomplished.

Mr. *Keith Douglas* was of opinion that no case had been made out to interfere with the chartered rights of the city of Edinburgh. The question before the House must be met, not as affecting the city of Edinburgh alone, but as involving, according to the admission of the hon. baronet who had just sat down, the whole principle of parliamentary reform in its widest sense.

Lord *A. Hamilton* said, that the only argument that had been offered against this motion was, that it was contrary to the provisions of the Union; but this, in fact, was no argument at all, and could not be relied upon as a principle by which the opinion of the House should be governed. Had nothing occurred since the Union of Scotland to call for the present bill? Had not the Union with Ireland materially altered the question? The noble lord proceeded to combat the arguments which had been advanced against the motion, and called upon the House to consider that it affected, in the most material manner, the rights and immunities of the inhabitants of Edinburgh, ninety-nine in a hundred of whom were vitally interested in the question before the House. He contended that the shutting out from the right of returning representatives to parliament of so large a proportion of the inhabitants of the capital of Scotland, a city so highly distinguished by talent, science, and intelligence, was a monstrous injustice. The present system of election was contemptible, and ought to be abolished, not only in Edinburgh, but throughout Scotland generally. The noble lord concluded by complaining of some collusion which had taken place between the lord-advocate and a Scottish member, with regard to a bill which had been brought in on this subject upon a former occasion.

The *Lord-Advocate*, after having most positively disclaimed the collusion which had been imputed to him by the noble lord, said he wished this to be treated as a British, and not merely as a Scottish subject. If a reform in the representation was to be attempted, he thought it would be but fair that the trial should extend to the whole empire; and not be confined merely to one of the weaker parts of it; for, unless it was for the purpose of effecting some such general reform, he could not discover on what principle the charter of a borough was to be taken from it, merely because it was imagined that its elective franchise might be placed in better hands. Where the elective franchise had been interfered with in England, it had always been on account of some corruption, or very improper conduct, in the parties who had the exercise of it; but against the borough of Edinburgh no misconduct had been, no misconduct could be, alleged. Its proceedings had been closely examined into, and had passed through a most severe ordeal; and on that occasion the conduct of this borough had been found perfectly fair and unexceptionable. The persons who exercised the elective franchise in it had done much for Edinburgh; they had acted most beneficially and liberally towards it. The question of general parliamentary reform would shortly be before the House, when the case of this borough might be discussed along with the rest; for there was nothing, either in its constitution or its conduct, which rendered it necessary that this borough should be singled out, and sacrificed as a special victim to reform. Indeed, he believed electors in this borough were less exceptionable than the electors of any other borough in Scotland; and it should be recollected, that although their number only consisted of thirty-three, still these thirty-three were chosen by a very numerous body. Neither were they all of the same political principles; six or seven of them, and amongst whom was the convener of the guild of trade, agreed in their political opinions with the hon. gentlemen who sat on the same side of the House with the noble lord. He was convinced that the giving votes to all those who occupied tenements of the value of 5*l.* a year, and which were, in fact, generally occupied by gentlemen's servants, would, instead of improving the representation, have a directly contrary tendency; and he was persuaded, that if it were expected that the present motion would be likely to be attended with any other effect than the affording a subject for declamation, all the respectable part of the inhabitants of Edinburgh would have come forward to petition the House against it.

Mr. *H. Drummond* rose for the purpose of confirming the assertion of the lord-advocate, disclaiming the collusion which had been imputed with regard to the bill which had been brought in on this subject on a former occasion.

Lord *A. Hamilton* said, he conceived that the disclaimer of the lord-advocate and the hon. member had left the matter pretty near as it was before.

Mr. Secretary *Canning* said, he would not allude to the concluding part of the noble lord's speech, further than to observe that he did not think the noble lord had given full attention to the positive assertions of the lord-advocate and the hon. member who followed him. They had both of them most decidedly disclaimed that there was any collusion between them; and in a matter of this kind, which rested entirely within the breasts of two individuals, to what other tribunal could an appeal be made but to their honour? In proceeding to the question before them, he answered the call which had been made upon him, certainly with very great politeness, by the hon. baronet and the noble lord; but he was quite at a loss to discover the grounds on which it was expected that he should give his vote in favour of the present motion,—whether he looked upon it as a question relating to a reform in this borough in particular, or to parliamentary reform in general. He had been complimented by the hon. baronet for a sentiment which he might, in common with many other honourable members, have expressed in discussing general topics; namely, that he would not resist innovation merely because it was a change; but this could never pledge him to approve of what he felt persuaded would be a change for the worse. He had been accused, and with justice, of a pertinacity in his opposition to parliamentary reform. He had hitherto invariably opposed, and he still continued to oppose, that measure, because he considered that it was neither necessary nor expedient. His resistance to it depended neither upon time nor circumstances, nor upon any transient considerations. He saw nothing in the representative system which required redress; and even if he could have discovered any thing which called for amendment, he saw no means of effecting such amendment without introducing into the system far greater evils. He did not, however, view the motion now before the House merely as an opponent to parliamentary reform; for if he himself were an advocate for that measure, his opposition to the present motion would have been considerably increased on that very account. If it was intended as an introduction to parliamentary reform, it was a very impolitic way of bringing that measure forward, and certainly would have a tendency to create an unfair prejudice against it. The noble lord had expressed a hope that he would not oppose this motion on the articles of the Union, and he was ready to admit that the articles of the Union ought not to be set up, so as to prevent any general alteration in the constitution by which all the parts of the united empire were bound together; but then such meditated alteration ought to be general, and to comprehend the whole monarchy; for he conceived the articles of the Union might be well set up against any mere partial change, and especially against one which was only intended to affect the weaker vessel. The articles of the Union had just been put into his hand, which provided, that no persons should be electors of representatives, or representatives themselves, excepting such as were then capable to elect, or be elected. He would admit, with the noble lord, that if he were merely talking of Scotland, and the Scotch representatives, that there was in Scotland no popular elective franchise, and that parliament would not be what it ought to be, if there were not in it a large infusion of popular spirit; that a parliament constituted at all like the parliament of Scotland would be unfit for this great empire. Such various clashing interests as existed in the united kingdom required that its representatives should be chosen by very different classes of persons. If it had fallen to his lot to have cast anew the representative system of Scotland, he did not mean to say that he should have framed it precisely as it was at present; in theory he might wish that more of the popular spirit were blended in the Scottish representation, as well as in the English. He did not call upon the House to agree with him in his views of this question, but he thought it must be admitted that he had stated it fairly. He should have been glad to have found a larger infusion of the popular spirit in the representative system of Scotland, though he did not miss it; as there was a sufficiency of it in the parliament of the united kingdom. Then, with regard to the state of Scotland; had that country been exposed to any evils or disadvantages from which its more wealthy neighbour had escaped? If England had flourished, had not Scotland flourished also? Indeed the advances in wealth and knowledge in Scotland since the Union had been, beyond all comparison, greater and more rapid than what they had been in England during the same period. The hon. and learned gentleman had stated, that one reason for his bringing forward the present motion was, the disparagement brought upon the system of Scotch representation, and the shrinking awkward feeling under which the Scotch members laboured, as to the way in which they were considered in that House. Now, for his own part, he must say, that he could perceive no symptom of any such feeling. With respect to the representation of Scotland as it now existed, he must be permitted to remark, that at least Scotland made good her ground. Notwithstanding all that the House had heard of the manifold grievances of Scotland, it was not pretended that it had made much impression upon the empire at large, or that it had inflicted any practical mischief upon the particular country which was alleged to be the sufferer by it. He had not heard of one Englishman who had successfully entrenched himself in the boroughs of that country. He begged pardon—he understood that on one occasion, Mr. Fox, banished from Westminster, had fled for refuge to the electors of Kirkwall [a laugh]. He had not heard of any southern invader who had made a permanent lodgment in the northern parts of the island. He knew, however, that Scotland, having filled up her own representation with her own children, was accustomed to send others of them to fill up the representation of the vacant boroughs of England.—Nay, the very motion which the House was then discussing came from a gentleman of Scotland, who had snugly nestled himself into an English borough, and who, having so nestled himself, came forward with true filial piety to reform the abuses of his mother country [a laugh]. For his own part, if he (Mr. Canning) were an advocate for parliamentary reform, he could amend the motion of the hon. and learned member for Calne in a manner to which that hon. and learned member could not possibly object. He would not move such an amendment, because he was not an advocate for that measure; but if he were an advocate for it, he would move to insert in the original motion the words, "the borough of Calne" instead of the words, "the city of Edinburgh" [cries of "move, move," from the opposition benches]. He had before stated that he would not move such an amendment, and he would now add, that he would not second it, even if the hon. and learned member should be inclined to move it. Nay more, he would add, that if he was an advocate for parliamentary reform, he would object to the partial mode now proposed for effecting it; and, speaking for himself, he would say, that it did appear to him, that the hon. and learned gentleman, who had selected Edinburgh as the subject for his experiment in representation, would have acted more naturally, and even more logically, if he had taken the borough of Calne, with which he was much more closely and intimately acquainted. He had listened with great attention to all that had been alleged against the corporation of Edinburgh; and he found that it simply reduced itself to this—that it only contained three-and-thirty electors. Now, he believed that the borough of Calne contained a smaller number of electors—not smaller in proportion to its population when compared with that of Edinburgh, but still very small in proportion to the number of its inhabitants. That was no argument with him; but there were gentlemen with whom it was an argument. To such gentlemen he would venture to give this piece of advice, that they should look at home before they ventured to go abroad with their schemes of reform. To the House, however, he would say, that if it was to select boroughs for disfranchisement, not upon any given fixed principle, as for misconduct or the like, but on account of the paucity of the number of electors in them, there would be no knowing where it ought to stop. If the paucity of the electors should be taken as a symptom of the corruption of the borough, no reason could be shown why gentlemen should not rise in a spirit of revenge, one after another, to make their attacks, night after night, upon peculiar boroughs. He could certainly point out several gentlemen, on both sides of the House, who, if paucity of numbers were to be taken as a disqualification of their constituents, could not stand a minute in comparison with the representation for Edinburgh. He maintained, that paucity of numbers was not in itself conclusive against any borough; and contended, that parliament, however it might have listened to schemes of parliamentary reform, depending upon the disfranchisement of some boroughs for the benefit of the whole country, had never, except in the present instance, entertained a motion for the disfranchisement of a particular borough, because its electors were few, unless they were at the same time guilty of gross corruption. This was his objection to the present motion, as it stood unconnected with the great question of parliamentary reform.—The hon. and learned member for Calne had applied to a particular instance a principle of reform, which, when applied generally, he believed to be perfectly sound. He admitted that to reform at the expense of a few, for a great national good, was a sound and a fair principle; but he asserted, that it had no application in the present instance. From such a reform he admitted that no borough had a right to claim exemption; but he contended, that it was new to bring an attack upon a particular borough, without having any abuse in that borough to allege as a foundation for it. If the House should proceed upon this occasion to disfranchise Edinburgh, merely because its electing population bore but a small proportion to the great mass of its inhabitants, it would be taking a step which would be altogether without a precedent; it would be doing that which it had never hitherto even meditated to do; and it would let into the great question of parliamentary reform,—for a great question it undoubtedly was,—a mode of treating it which would lead to endless individual quarrels, without promoting any general advantage. He hoped that the great question of parliamentary reform would be kept separate from the present question, in order that it might be regularly discussed upon the motion which the noble lord opposite (lord John Russell) had given notice that he should bring forward in the course of the present session. He hoped that it would be kept separate, not only this session, but for many sessions to come; and that after the noble lord had himself retired from the scene, it would remain a theme for declamation, and for annual, or, he should be better satisfied, for triennial display, for parliamentary orators who were yet unborn. He hoped that the general question would long remain in the hands of the noble lord and of those who thought with him; but to the present question, which did individual injustice, and promoted no general good,—which went to deprive an elective body of its franchise, not on account of their misconduct, but on account of the paucity of their numbers,—to that question, fraught as it was with mischief and imprudence, he must be permitted, now and for ever, to give his most strenuous and decided opposition.

Mr. *Hobhouse* commenced his speech with calling the attention of the House to the extraordinary doctrine which had just been laid down by the right hon. Secretary for Foreign Affairs. The right hon. gentleman had told them, that though a popular representation was good for the whole of the united kingdom, it was still good for a part of it, that some portion of its representation should not be conducted upon popular principles, and that part of the kingdom he subsequently admitted to be Scotland. Now, he asked the House whether, by this species of defence, the right hon. gentleman had not given them a character of Scotch representation which no Scotchman would be glad to recognize. Surely the right hon. gentleman had that evening held up to the public view those shameful parts of the British constitution, which, according to the opinion of Mr. Burke, ought rather to be slurred over than confessed. The right hon. gentleman had likewise taunted the members on his side of the House, with not bringing forward the case of the borough of Calne. Now, there were many gentlemen near him who would vote as readily for an alteration in the mode of electing the member for Calne, as they would for an alteration in the mode of electing the members for Edinburgh. It was unfair, however, to say that there was any thing parallel in the cases of Calne and Edinburgh. Was Calne a large town like Edinburgh, where thirty-three inhabitants returned a member to parliament to represent the remainder of its 130,000 inhabitants? The reformers had frequently been called on to abstain from general invective, and to point out a specific case of abuse. They had now answered that call, and had pointed out a gross case of abuse in the present instance. Could there, indeed, be a grosser abuse than that thirty-three electors should return a man who had no feeling in common with those who were styled his constituents, and who formed the most enlightened community in the British empire? They might call such a system by what name they pleased; but sure he was, that they could never correctly call it representation. "But," said the right hon. gentleman, "the system, such as it is, works well." He denied it. That system could not work well, which placed the member for Edinburgh in direct variance with the great majority of those who were misnamed his constituents, and of which loud and repeated complaints came from all parts of Scotland. The learned lord-advocate was even bolder in his assertions than the right hon. gentleman; for he said, that the system not only worked well, but gave full content to all the enlightened inhabitants of Edinburgh. Now, he must be permitted to dispute this position. If it were true, how was it that the respectable inhabitants of Edinburgh solicitously seized every opportunity of disclaiming every act of the gentleman who was styled their representative? Let the House consider in how short a space of time all the talent of Edinburgh could be marshalled in array against any measure which emanated—he would not say from the administration, but—from the false system of Scotch representation which it protected. Did the learned lord mean to say that the Jeffries, the Cranstouns, and the Murrays, who were every thing when representing the feeling of Edinburgh, but would be nothing without it, were in favour of the present mode of electing its representative? The gentleman who now filled the situation of member for Edinburgh, represented not the city of Edinburgh, but three-and-thirty individuals, who had got peculiar interests to be furthered in this country—who made no appeal to the people or parliament of England—but who addressed themselves invariably to the Treasury, well knowing that so long as they kept up a good understanding with it, their cause would be treated with more attention than any of the public interests of the country.—His honourable colleague had called upon the right hon. Secretary to act on this occasion in conformity with the declaration which he had made on a former night; namely, that he was not hostile to innovation, provided that innovation was productive of improvement. He was sorry that the right hon. Secretary, on whose talents he passed a high eulogium, had not answered to that call. He declared solemnly, that he thought one of the greatest evils that had recently befallen the country to be this—that the right hon. gentleman was so decided an opponent to the cause of reform. He believed that, had not the right hon. gentleman laid down in early life, sentiments upon this subject, from which human frailty, or he ought perhaps to say the love of consistency, prevented him from now departing—he believed, he repeated, that with the power which the right hon. gentleman now possessed, he meant not the power of the Crown or of parliament, but the power which the opinion of the people naturally gave in a country governed like England by liberal institutions—the friends of reform might have been able to look up to some individual to rescue them from the Egyptian bondage in which we were now placed [hear]. He said Egyptian bondage—for such it was, to be restrained in all their aspirations after freedom by a representative system which did not represent them. He had little doubt but that a time would come, when the right hon. gentleman would be sorry that he had not made common cause with the people. In conclusion, he recapitulated his former arguments, contending that if any gentleman was at all favourable to reform in parliament, he had now an opportunity of showing it, by voting in favour of the present motion.

Mr. *Abercromby*, in reply, commented

upon several of the observations which had fallen from the right hon. Secretary for Foreign Affairs. The right hon. gentleman had said, that though he (Mr. A.) was a Scotchman, he had not been able to find a resting-place for himself in Scotland, but had been obliged to nestle himself in a borough in England. Now, he would tell the right hon. Secretary that, if he had been one of the unshrinking Scotchmen to whom the right hon. Secretary had alluded, he should have found no difficulty in getting a seat in Scotland; but because he was not an unshrinking Scotchman he had been compelled to nestle himself in an English borough. Was it, then, to be a taunt against him, that having a seat for an English borough in the parliament of the empire, he was anxious to lend himself as an humble instrument to the redress of what was an undisputed and an unanswered grievance in Scotland? He was surprised at hearing an English minister declare that it was fit that there should be an infusion of the spirit of the people of England and of Ireland in the British parliament, but that with respect to Scotland no such infusion was wanted. Now, he contended that such infusion was more wanted with regard to Scotland than to any other part of the United Kingdom. Could there be a stronger proof of it than the extraordinary fact, that the petition of the inhabitants of Edinburgh on this subject had been urged on the two occasions when it was presented, not by their own representative, not by a member for their own country, but by an humble and almost unknown member for an English borough? If any thing were wanted to aggravate the feelings which already actuated the people of Scotland in respect to their representative system, it was the declaration, that the British parliament might receive an infusion of the spirit of the people of England and of Ireland, but must not receive an infusion of the spirit of the people of Scotland. Were there no occasions in which it might be absolutely necessary for parliament to have among them, individuals who could give them correct and sound information as to the feelings which actuated their countrymen in Scotland? He found several fresh arguments for his motion in the speech which had been made that evening by the right hon. Secretary. The present was the first time in which he had heard an objection made to an innovation because it was gradual—because it was definite in its nature—because it was not in support of any general theory—because it was founded on the petitions of the people of Edinburgh, who applied for redress for a particular grievance. If no other advantage was to be derived from this discussion, this advantage was at least derivable from it—that the people of Scotland could no longer entertain a doubt as to the manner in which they were to be treated. The right hon. gentleman, the chief of the anti-reformers, had plainly told them the course intended to be adopted in their regard. When measures of general reform were brought forward, the great change which they would effect was made a ground of rejecting them; and now, when a partial measure was proposed, when reform was proposed on a small, safe, and gradual plan, it was rejected, because it was not a general measure. The plain meaning of which was, that there was to be no redress of grievances, no favourable entertainment of any measure tending either to general or partial reform. The people of Scotland, however, now knew what they were to expect—they were apprized of their fate—they were made sensible of the disposition and intention formed towards them; and they knew, too, that there was power to back that intention. Whether, with this knowledge, and under these circumstances, they would persevere in their present course of petitioning for reform, or whether they would unite their exertions with those of the reformers of this country, in procuring a measure of general reform, it was not for him to decide; but these two things he could confidently assure the right hon. gentleman; first, that the speech which he had pronounced that night would not induce one man in Scotland to surrender his opinion and conviction, as to the necessity of reform; and secondly, that that speech would have the effect of not only continuing those who were anxious for reform in their present sentiments, but would be the cause of gaining thousands to their side who were not reformers before; whilst it would confirm irrevocably in their opinion those who had already enrolled themselves in that numerous and respectable body.

The House divided: For the motion 97. Against it 122. Majority against the motion 25.

List of the Minority.

Althorp, visc.
Baring, sir T.
Barnard, visc.
Bentinck, lord W.
Bernal, R.
Birch, J.
Blake, sir F.
Brougham, H.
Burdett, sir F.
Byng, G.
Butterworth, J.
Buxton, T. F.
Calcraft, J.
Calvert, C.
Calvert, N.
Carter, J.
Caulfield, hon. H.
Cavendish, C. C.
Clifton, visc.
Colborne, N. R.
Corbett, P.
Cradock, S.
Creevey, T.
Crompton, S.
Denison, W. J.
Denman, T.
Duncannon, visc.
Dundas, hon. T.
Ebrington, visc.
Ellice, E.
Evans, W.
Fergusson, sir R.
Fitzgerald, rt. hon. M.
Fitzroy, lord C.
Gaskell, B.
Glenorchy, visc.
Grant, J. P.
Grattan, J.
Gordon, R.
Guise, sir B. W.
Hamilton, lord A.
Honywood, W. P.
Hume, J.
Hurst, R.
James, W.
Jervoise, G. P.
Labouchere, H.
Lawley, F.
Leycester, R.
Lethbridge, sir T.
Lushington, Dr.
Maberly, J.
Maberly, W. L.
Marjoribanks, S.
Martin, J.
Maule, hon. W. R.
Milbank, M.
Monck, J. B.
Moore, P.
Newport, sir J.
Ord, W.
Osborne, lord F.
Palmer, C.
Palmer, C. F.
Parnell, sir H.
Pelham, J. C.
Philips, G. sen.
Philips, G. H.
Rice, T. S.
Ridley, sir M. W.
Robarts, A. W.
Robarts, G. J.
Robinson, sir G.
Rumbold, C. S.
Russell, lord J.
Russell, lord W.
Scarlett, J.
Scott, J.
Sebright, sir J.
Smith, J.
Smith, W.
Stanley, hon. E. G.
Sykes, D.
Tavistock, marq.
Tennyson, C.
Tierney, rt. hon. G.
Townshend, lord C.
Wall, C. R.
Warre, J. A.
Webbe, E.
Western, C. C.
Whitbread, W. H.
Whitbread, S. C.
Whitmore, W. W.
Williams, J.
Wilson, sir R.
Wrottesley, sir J.
Wyvill, M.

TELLERS.

Abercromby, hon. J.
Hobhouse, J. C.

WESTMINSTER ABBEY.] Mr. *Hume* rose to propose the motion of which he had given notice, relative to the charter granted to the Dean and Chapter of Westminster. He observed, that the House were already in possession of some returns regarding the fees received for the exhibition of the monuments in the abbey, and of the appropriation of those fees; which, it seemed, were devoted to the maintenance of the minor canons and choir. The returns for which he should now move, would, he believed, enable him to show that the funds in possession of the dean and chapter were sufficient to maintain every individual on the establishment without exacting those fees which were now demanded from the public. Indeed, it was scarcely to be supposed that an establishment would be endowed but with sufficient funds to answer its expenses. He should prove that the funds originally granted were sufficient, but that they had been diverted from the purpose to which it had been intended they should have been applied. For some years past the dean and chapter had appropriated to their own use houses and lands, which, he thought, if these returns were granted, would be found to have belonged of right to the minor canons; for whose support they were at first intended. The minor canons had lately applied to the dean and chapter to appropriate to them such funds as were necessary for their support, but the dean and chapter were deaf to their entreaties, and had declared that they must owe their subsistence principally to the collections made by the exhibition of the monuments. Now, as he was informed, the dean and chapter possessed a grant from queen Elizabeth, who had devoted certain lands and houses for the sole use and maintenance of the minor canons and choir, and it was alleged by the individuals connected with the Abbey, that the funds thus provided were amply sufficient for their support, he should move for a copy of this charter, that the House might be enabled to see whether this information was correct. In the very year of the grant, certain sums were allowed for the maintenance of the minor canons, and he desired to see from what source those sums had been drawn. It was a curious fact, that no such sums were allowed now, but that, while the income of the dean and chapter had been increasing, the salary and allowance of the minor canons and the choir had been diminishing. He should add, also, that considerable sums had been left by individuals, for the purpose of paying the minor canons and choir, which, if they were properly applied, would prevent the necessity of any collection being made; but into this part of the subject it was not his present intention to enter. He did not wish to lead the House into pronouncing an opinion as to how far the conduct of the dean and chapter had been justifiable; but he wished that such information should now be afforded as would enable the House, at some future time, to resolve upon the measures which ought to be pursued. He would therefore move, "That there be laid before this House, a copy of the Charter, or Letters Patent granted by queen Elizabeth, in the second year of her reign, by which, of her free bounty, she conferred the Church (or Abbey) of Westminster on the Dean and Chapter for ever, and subjected it to their sole and lawful management."

Mr Secretary *Peel* said, that when it was recollected that he had offered no opposition to the hon. member's former motion, the House would be convinced that he had no wish to withhold any information that might be necessary; and he could not but think that the hon. member made rather an ungracious return for the facility with which he had obtained the documents he before required. The hon. member now wished the House to call upon the dean and chapter of Westminster, to show the deeds by which they held the property that had been for so many years in their possession. He asked also for returns of the lands, houses, &c. appropriated to the maintenance of the minor canons; for a copy of the grant of 1697 to the choir, on condition that, receiving the benefits of the exhibition of the monuments, they should keep them clean; for an account of allowances and income received by minor canons, &c., and in whose possession were the lands, houses, &c. from which the same were derived.

Mr. *Hume* said, he had not made any such motion.

Mr. *Peel* said, he had read from the orders of the House.

Mr. *Hume* said, that he had as yet only moved for a copy of the charter of queen Elizabeth.

Mr. *Peel* said, that the hon. member had torn off the paper which contained that motion from another paper, which consisted, as he supposed, of the others; and that if the hon. member was not moving for these returns at that moment, it was his intention to follow up the present motion by those to which he had just alluded; and indeed, at the instant that the hon. member tore off the first part of his motion, he had declared his intention of bringing forward others connected with it.

Mr. *Hume* believed he was allowed to say whether a particular motion was his or not; and if he said the motion was not his, surely the right hon. gentleman was out of order in saying it was.

Mr. *Peel* said, that if he had been mistaken in referring to the printed orders, he would endeavour to be more regular, by reading from the manuscript authority entered in the books of the House. On doing so, however, he found that the orders had been faithfully copied from thence; and though the hon. member had only read the first part of his motion, yet he had not said that he would abstain from proposing the rest; on the contrary, he had said that he should follow it up with others. He did not mean to say that the hon. member was bound to propose all the parts of the motion which he had entered on the books; but certainly it must be taken for granted that he meant to move them, since he expressly stated that he did not intend to withdraw them.

Mr. *Hume* said, that certainly he did not mean to withdraw any of them.

Mr. *Peel* then contended, that the hon. member had no right to call him disorderly, for alluding to those motions which stood upon the books. He observed, that the rights of the dean and chapter of Westminster did not differ from those of any other dean and chapter. The public had erected monuments in the abbey, which the dean and chapter possessed by a grant from the Crown; but though these monuments had been erected at the expense of the public, they had not paid the dean and chapter for the space which these monuments occupied, nor had they specified that the rights of the dean and chapter of Westminster should be different from those of other ecclesiastical bodies, under similar circumstances. If the hon. member objected to the payment of those fees which were demanded for the exhibition of these monuments, let him refuse payment, and try with the dean and chapter their right of demanding them; but let him not call on that House for the production of documents, which he might use as evidence in resisting their demand before another tribunal. The hon. member had represented, that the minor canons claimed a right to something which the dean and chapter now appropriated to themselves. It appeared then, that there was a disputed claim among these persons; and, was it for parliament, overwhelmed as they were with business, to interfere in their disputes? He thought not. The hon. member had called for papers which were, in fact, the titles of the dean and chapter to certain houses and lands they possessed. Surely the House would not grant a motion which was, in fact, an application to know the titles of landlords to their property. He trusted the House would not establish such a precedent; and above all, that they would not intermeddle in disputes betweeen the dean and chapter and the minor canons of the abbey, but would let those disputes be adjudicated in the proper manner. If there was ground for litigation, let that litigation be settled by the proper judicial power of the country. As he had already assented to one motion for a return of the amount of fees received for the exhibition of the monuments, and the manner of the appropriation of those fees, he thought he had done enough. It was too much to require the titles to property to be produced in that House; and, therefore, if he stood alone, he should resist the present motion.

Mr. *Hume* declared that the substance, but not the form, of his intended motions had been preserved in the Order-book; and he must say, that he was surprised at the presuming and extraordinary manner in which he had been remarked on by the right hon. gentleman opposite [cries of "order, order!"].

The *Speaker* requested to know whether what the hon. member was about to state was in reply or explanation?

Mr. *Hume* answered, that it was in explanation.

The *Speaker* observed, that in that case the remarks of the hon. member were certainly out of order, since no gentleman, when speaking only in explanation, was at liberty to make remarks on a preceding speaker. He would take that opportunity of saying, that the practice of giving notices of motions, though not a matter of right, was a practice which had grown up and been established, on account of its usefulness, which consisted in this, that it afforded to other members a knowledge of what was intended to be brought forward for discussion. If any irregularity crept into these notices, who was to blame? Certainly the hon. member who gave them. The hon. member for Aberdeen should not be surprised that he had alluded to this circumstance, since there was no one who gave more notices of motions than that hon. member. If at any time there was any error in the entry of the clerks, he trusted that the hon. member would state it, that it might be immediately corrected.

Mr. *Hume* observed, that the substance of his notice was entered correctly, but not the words; and he therefore contended, that he was not bound by the words which had been inserted. His object in calling for these papers was to get rid of an imposition, by which, in one year 2,000*l.* and in another year, 1,500*l.* had been drawn from the pockets of the people. The dean and chapter alleged that these sums were necessarily taken for the maintenance of the minor canons and choir. Now, he alleged, on the contrary, that there was sufficient property to maintain these persons without having recourse to such a mode of supporting them. The monuments which the public had erected, were public property. The public had a right of access to them, and if that right was denied, and money was demanded, the public ought to know why that demand was made. The House would not do its duty to the country, if they did not put a stop to the abuse of which he complained; and he was content to stand with the right hon. gentleman, in the face of that country and abide by its opinion on this subject.

Sir *J. Wrottesley* said, he had hoped that the returns moved for would have been granted without hesitation. There was no ground whatever for the exactions of the dean and chapter of Westminster, and their practice in this respect had not even the plea of antiquity to recommend it; because it was an infringement of which many hon. gentlemen in that House had seen the beginning. He had been educated at Westminster school, and he knew (having passed through it hundreds of times in every year) that there was a passage from the cloisters through Poets' corner into that part of Westminster. At the period to which he alluded the lower part of Westminster-abbey was open daily; and this practice he thought was an extremely useful one. It was true that admission might still be obtained upon payment, but it was by no means the same thing to be escorted by an impertinent and talkative verger, as it would be to spend a solitary hour there on a rainy day, contemplating the monuments of the illustrious persons whose fame was perpetuated there, and thus acquiring a knowledge of the history of the country. To what purpose had the national money been spent, but to hand down to posterity, by means of those monuments, the achievements of the heroes to whose memory they were erected; and how was this purpose to be effected if the abbey was to be for ever shut up? It was stated in the returns which had been laid before the House, that divine worship was celebrated in Westminster-abbey twice a day. This was true; but it was also true that only one small door was open. A large part of the Abbey which was formerly free to the public, was now appropriated exclusively to the use of the dean and chapter and the Westminster scholars. Formerly, and within the recollection of many individuals, there were at least five doors open, by any of which a person of a pensive or devotional turn of mind might enter, and indulge in his own serious reflections. It was not so much the amount of money that was now demanded from the visitors to the Abbey, but the disgrace of making any demand at all. Adverting to the return made by the dean and chapter to the order of the House, he observed that after they had stated that the collections were received by the minor canons and the gentlemen of the choir, they added, in rather a haughty style, that they did not know how the money was divided. They ought, however, to know that it was divided with a just reference to the claims of those unfortunate minor canons who were compelled to perform divine service at six o'clock on a cold frosty morning to two or three old women in red cloaks. The great exaction for showing the monuments had arisen since the time of that accomplished scholar and polished gentleman (Dr. Vincent) who attracted the love and veneration of all who were so fortunate as to know him; and whose name was never mentioned at the annual meetings of the individuals educated under his superintendance, without causing the walls of the room to ring with applause. He was sorry to see the name of that reverend individual profaned by its introduction at the end of the return, which had been made by the present dean and chapter. He was convinced that if that revered individual could rise from his grave, nothing would give him more pain than to see the name of Vincent attached to such a document. If the hon. member for Aberdeen divided the House the motion should have his hearty vote; as well as those by which it was to be followed. The dean and chapter had begun the practice of taxing the public for admission into the Abbey, and surely the House had a right to inquire why they had done so. If the right hon. Secretary objected to the present motion, he ought to have objected to the original order of the House. The return to that order being so unsatisfactory, the House were bound to persevere in the inquiry.

Mr. *Hudson Gurney* merely rose to suggest, that the charter required was most probably either to be found at the Tower or elsewhere amongst the public records; and therefore the calling for private title was an objection that could not be supported. He had no wish to trench on the rights of private property, and still less to cause any diminution of the incomes of the minor canons; but he considered the free ingress of the public to Westminster Abbey to be a national object; and, as such, felt himself bound to support the motion.

Mr. *Ashurst* said, that much inconvenience would result from the indiscriminate admission into the Abbey of the public at all times. The monuments would be exposed to every kind of mutilation and injury. From the earliest periods it had been found necessary to take measures to guard against this evil. Previous to the Commonwealth such measures had been adopted. In every church the incumbent had a right to a fee for the erection of a monument. And with regard to public monuments, there was undoubtedly a right to tax the public to a certain extent for the purpose of preserving them, and keeping them in repair. It was well known that a more honourable as well as a more benevolent man than the present dean of Westminster did not exist; and that he was wholly incapable of giving his support to any system justly deserving of reprehension. On numerous occasions that excellent person had indulged, from his private purse, in acts of the greatest liberality and generosity.

Sir *J. Newport* allowed, that if it could be shown that from the earliest times, the dean and chapter of Westminster had exercised the right of excluding from the Abbey, there might be some pretext for declining the proposed inquiry; but when it was well known that from a large part of the Abbey the public had been shut out only in late times, he was at a loss to conceive on what principle resistance could be made to a motion, calling on the dean and chapter to account for their conduct. It was said, that the fees collected from visitors to the Abbey went to the minor canons. But, was it satisfactorily established that the provision for the minor canons, and the inferior officers of the church, ought not to proceed from their principals? He complained of the manner in which the dean and chapter had thought proper to word their return to the order of the House. They had no right to make any remarks on the subject. It was not respectful to the House to do so. When the House called for any return, they expected simply a statement of facts. If the persons furnishing any such return conceived themselves aggrieved by the proceedings of the House, their fit course was to petition the House, stating the circumstances of which they complained. In the conclusion of the return, the dean and chapter observed, 'that their founder had not only empowered, but required them to defend the privileges and immunities which she had bestowed upon them, against all aggression or encroachment. And from whom did they apprehend that aggression and encroachment? Evidently from the House of Commons. These were unwarrantable expressions. The House would always be found ready to defend the rights of the church; but he trusted they would also always be found ready to defend the rights of the public. The Secretary of State talked of a remedy at law being open to any individual who felt himself aggrieved. But it should be recollected, that the attempt to procure that remedy must be made at the expense of the individual, while the defendants would be able to resort for aid to the purse of their corporation.

Mr. *Wynn* regretted the system which had been introduced into the Abbey, but was of opinion that the House could not with propriety interfere. He could not see what authority they possessed for doing so. He believed it to be the right of every dean and chapter to shut up their church, except during the hours of divine service. He allowed, however, that the mode in which the public had of late years been shut out of the Abbey was much to be lamented. He allowed that it was an injudicious use of the power possessed by the dean and chapter; but he did not think that the House had any authority to interfere. If, for instance, a road were to be improperly stopped up, could the House interfere? By no means. Recourse for redress must be had to a court of law. If such a motion as the present were acceded to, where would the practice end? Nothing was more to be deprecated than calling on that House to interfere in any case in which it really possessed no power. For these reasons, regretting extremely the course which had been pursued by the dean and chapter, he felt it to be his duty to oppose the motion.

Mr. *Baring* could see no objection to the production of the paper in question. The House might afterwards determine whether or not to proceed further. He thought the tone of the answer made by the dean and chapter unjustifiably high. They had no right to tell that House, that it intended some improper aggression on their property.

The House then divided: For the motion 56; Against it 72; Majority 16.

Mr. *Hume* then moved, "That there be laid before this House, Copy of the Grant made to the Choir of Westminster in 1697, on the conditions 'that receiving the benefits from the exhibition of the Monuments, they should keep the Monuments always clean.'"

Mr. Secretary *Peel* seeing a difference between this motion and the former one, did not intend to oppose it. He begged to be understood, that, in contending for the right of the dean and chapter to exclude or admit, he did not vindicate the amount of their charges. The former motion could not be enforced; and it was not wise to commit the House to a measure in which they might not succeed. He regretted exceedingly the manner in which the return already ordered had been made. It would have been much better, if the dean and chapter had complied simply with the order, which was so worded as not to excite any unpleasant feelings. He wished, however, that the hon. member would postpone his motion, in order to afford an opportunity of ascertaining whether the grant was, or was not from the Crown. He had, in the first instance, conceived it to be a grant from the Crown to the dean and chapter, on the condition of keeping the monuments clean.

Mr. *Hume* said, there could exist no doubt that it was a grant from the dean and chapter to the choir.

Mr. *Canning* wished the hon. member would postpone his motion, on the understanding that, if it turned out upon inquiry to be a grant from the Crown, no opposition would be made to the production of the document. If the grant really were from the dean and chapter, he should certainly object to its being produced.

Mr. *Hume* said, that he really did not know what the right hon. gentleman intended by his distinction.

Mr. *Peel* said, that the first motion was for a copy of the charter of queen Elizabeth to the dean and chapter, as evidence of their title and property, and of their general right of regulating the cathedral: To this he should object, on principle. The next motion was for a copy of the grant of 1697. He had understood that that was a distinct grant from the Crown, to levy a fee from every person seeing the monuments, upon the condition of the dean and chapter keeping them clean; and finding that they had been relieved of this charge by a grant of public money, he thought this made a very distinct case, and entitled the public to inquire how the matter stood. If the grant was from the Crown, he was ready to acquiesce in the motion; but he wished the hon. member to postpone the debate, in order to give an opportunity for inquiry.

Mr. *Hume* objected to withdraw his motion. The public money had been voted for the object of cleaning and repairing the monuments, and the public had a right to know how it had been applied.

Mr. *Denman* advised his hon. friend neither to postpone nor to withdraw his motion, as there was quite enough before the House to enable them to come to a vote upon the question. Indeed he was of opinion that, if the money was not a grant immediately from the Crown to the dean and chapter, there was the greater reason for an inquiry into the causes why the delegated trust had been neglected. He considered it to be extremely ungracious in the right hon. Secretary, in a matter of great public importance, to thrust the onus of proving a public right on any individual, by his remedy in a court of law. He could inform the House, that the boasted remedy of a court of law was not always very expeditious, very certain, or very cheap. The same answer might be given in many other cases. In cases of charities, for instance. In applications to the House against any gross and afflicting abuse of a public charity, a minister might say, "Go and file a bill in the court of Chancery; I assure you, the Chancery-court is a court of the greatest purity, and it possesses ample powers;" and thus an individual might be five-and-twenty or thirty years obtaining redress, which it was the duty of the House to grant him in the first instance, and without any expense whatever. Did the gentlemen on the Treasury-bench mean to say, that the only remedy for the public was, that he who suffered the exaction of a few pence at the church-door was to resist the imposition at the risk and expense of a court of law? to put himself forward as the champion of the public, and to fill up the breach which it was the duty of the House to fill, but which they were so ready to throw upon individuals? He objected to the subtilties and refinements of the government, when they were thus urged in support of existing abuses, or in opposition to general principles and public rights.

The House divided: For the motion 37 Against it 68; Majority 31.

Mr. *Hume* expressed his dissent from the proceedings of the House. He said, that whatever might be the differences of opinion with respect to the technical propriety or impropriety of granting this or that document, it was the opinion of every part of the House, that the present system of managing the cathedral, with respect to the admission of the public, was most reprehensible. This was evidently the undivided sentiment within the House; and he need scarcely add, that in this, as in many other instances, the sentiment of the public had preceded that of the House of Commons. He would withdraw his other motions; but it was his intention to propose, on a future day, a motion expressive of the sense of the House on the extraordinary conduct of the dean and chapter.

Bribery at Elections Bill.] Lord John Russell having moved the order of the day for going into a committee on this bill,

Mr. *Hudson Gurney* said, that the bill contained but there effective clauses, to every one of which he objected, and should therefore oppose its going into a committee.

The bill was then committed.

HOUSE OF LORDS.

Friday, April 14.

Slavery in the West Indies—Memorial of the Assembly at Antigua.] Lord *Dudley and Ward* said, he rose to present a petition of considerable importance. It was the petition of the Board and Council and House of Assembly of the island of Antigua; but it was signed in the name of the legislative body by the Speaker only. He did not know, therefore, whether the petition could be received as from the whole assembly or not, but he might observe not only on the statements of the petitioners, but what he believed to be other good authority, that the island from which this petition came was amongst the best in the West Indies, as to the moral condition of the slaves—one in which their situation would best bear comparison with that of free blacks, and in which the nearest approach was made to free labour. When, however, the petition came to be read at length, which he intended to propose it should be, their lordships, perhaps, would be of opinion that the petitioners had indulged in expressions which might be considered too harsh, against the persons in this country who took an active interest in the abolition of negro slavery. He wished that all discussions on this subject should be conducted with good temper and moderation; but this, at least, might be said for the petitioners—that no language used by them could be harsher than that which had often been applied to the colonists themselves by the anti-slavery party in this country. But these considerations did not affect the great object of the petition, which he should shortly state. The petitioners prayed, that if any measure for the abolition of slavery, likely to be injurious to their interests, should be carried into effect, they should be allowed full and fair indemnification. In presenting this petition it was not necessary for him to state what his own views on this question were; but this much he might say, that while negroes remained the slaves of the planters, he did not think that what was done merely to ameliorate their condition, could form a ground for such a claim. The moment, however, that another important step was taken—the moment, however prompted by humanity, and with whatever prospect of success, measures were taken to set the slaves free from their masters, the nature of the case was completely altered, and the owners were justly entitled to indemnification. Where slavery ended, compensation began. This appeared to him to be the fair state of the question. That one man should be the property of another was a proposition which none would now maintain; but such had, for more than 150 years, been the law of this country. The colonists had only been parties to the maintenance of that law in common with the rest of the people of England, and therefore should not be the sole sufferers by its abrogation. The practice which was now discovered to be unjust, had been warmly fostered by our ancestors, and the whole price of repentance ought not to be paid by those who were only sharers in the guilt and impolicy of the transaction. Such, certainly, had not been the course hitherto followed, with respect to many claims not better founded than those of the planters. It was even the practice of the legislature to pay attention to the claims of property which had grown up without being sanctioned by law. Cases which occurred when the Union with Ireland took place, afforded instances in point. What, indeed, could be more contrary to justice and the spirit of the constitution, than that persons should be indemnified for yielding up an influence which they possessed over the legislature? If a man who said, "I have a vote, and have an influence in returning so many members to parliament, therefore, pay me 15,000*l.* down, or I will vote against you," could be listened to, surely the legislature would not refuse to hear the planters. The West-India proprietors had claims to indemnification, which stood upon far better grounds as to right and justice, than any which those gentlemen who trafficked in political influence could set up. In many of the petitions which prayed for the abolition of slavery, the principle of compensation had been admitted; but he had his doubts whether considerable discrepancies would not be found, when the application of the principle came to be in question; and it seemed to be wished to carry it into effect with haste and precipitation. At first sight it certainly might appear to many of the abolitionists, that nothing was more easy than to substitute free labour for slavery; but if they chose to reflect, they would find, that such a change was not to be accomplished with all the facility they anticipated. He did not mean to agree with his brother colonists in maintaining, that there was something in the nature of the region they inhabited which rendered free labour impracticable. This was an opinion in which he could not concur, when he saw how very little profit or remuneration sufficed to induce men to labour in the most insalubrious situations, and at works which were obviously injurious to health. But he must agree with the petitioners, that the sudden transition from slavery to freedom, which seemed to be the object of the abolitionists, was an experiment of great hazard. How to convert 300,000 or 400,000 men all at once from compulsory into free labourers, was obviously a proposition of very difficult solution; but if this violent experiment was to be made, the expense of making it ought to be borne by the country, and not by the planters. He was aware that it had been thrown out, that in considering the question of compensation, the colonists were not entitled to the full value of their property, as it might be estimated on their profits, since part of those profits arose from the possession of an unjust monopoly. This was, however, an argument which would surely receive no countenance in parliament. If it were admitted, it was difficult to see whither its application might not be carried. If on compensation being required for a canal or road passing through arable land what would noble lords think, if that arrangement were applied to the owner of the estate? Suppose he were told, "Yes, you shall have compensation; but it shall be minus the unjust profit you derive from the monopoly of the corn-laws," would not their lordships revolt at any attempt to establish such a principle as this? In fact, he had no doubt that, on a fair view of the question, the right of the planters to be indemnified would be admitted to stand on precisely the same ground as other claims to compensation which had been allowed by the legislature. And here he must observe, that his own interests in the question would not have led him to interfere at all in its discussion; but he was induced to come forward in the hope of obtaining justice to others. He was anxious to call their lordships' serious attention to the subject to which the petition referred; and he implored them to consider well before they gave into views, which seemed to threaten, in the name of humanity, to sweep away all the ordinary principles of justice. At the close of the petition, a suggestion was thrown out which might appear to their lordships somewhat extraordinary. It was proposed that this country, or the abolitionists should purchase the whole property of the planters—that they should take the island of Antigua to themselves. They might then make whatever experiments they liked as to free labour. Those who were for rash experiments might have the opportunity of trying them; but he thought it was by far most desirable that the experiment of free labour should be made by degrees, and on a small scale.

The Earl of *Liverpool* wished the petition to be received as the petition of the body of the House of Assembly; but doubted whether that could be done, as it was only signed by the Speaker.

Lord *Dudley and Ward* thought it would answer every purpose for which the petition was intended, if it was received merely as the petition of the Speaker.

The Earl of *Liverpool* was desirous, that the question should not be decided, until it was known what had been done in similar cases. He did not see how it was possible to avoid receiving petitions, in some way or other, from the colonial assemblies. If the right of parliament to legislate for the colonies was maintained, there must be some means of receiving petitions from them. He therefore thought that inquiry should be made. Some precedent, perhaps, would be found of petitions of the same kind from the American colonies.

The Earl of *Lauderdale* observed, that if inquiry was to take place in order to do justice to one party, he hoped that justice would be done to others. Petitions which were presented from the moderators of the general Assembly of the church of Scotland for the whole of that body, and from the moderators of synods, legally signed according to the law of Scotland, were still only received as the petitions of the persons who signed them.

Lord *Melville* corroborated what the noble earl had just stated.

Lord *Calthorpe* vindicated the abolitionists from the charges made against them. They did not call for rash and precipitate measures, but were desirous that caution and deliberation should accompany every step taken for the emancipation of the slaves. They were also sensible of the blame which attached to themselves in having suffered the evil of slavery so long to exist. He could not help agreeing with those who considered that the colonial legislatures had acted very improperly; but he should certainly rejoice to see the imputations against them disproved.

Lord *Dudley and Ward* remarked, that very bitter censures had been pronounced on the colonial assemblies at the meetings in support of negro-emancipation. As to the wish for precipitation on the part of the abolitionists, a sufficient foundation for that charge was to be found in a speech made by the noble lord himself at one of those meetings. That speech was printed in the papers; and it appeared that the noble lord had stated it to be the object of the society to bring about emancipation before the death of an individual who had greatly distinguished himself in support of that object. Now, if the abolition was to be effected during the life of that most respected individual, his advanced age gave ground to suppose that they would endeavour to accomplish their object with more haste than deliberation.

Lord *Calthorpe* observed, that what he said on the occasion alluded to, was, that it would be desirable that some visible approach to the emancipation of the negroes should be made during the life-time of the illustrious individual whose name was so intimately identified with that question. It was merely observed, that if that individual lived to see such an approach to abolition as would give more certainty as to the period of the accomplishment of that object, it would afford him great satisfaction and consolation.

After some further conversation on the question, whether the petition should be received as the petition of the House of Assembly of Antigua, it was agreed that it should be referred to a committee of privileges, and that the petition, in the mean time, should be withdrawn.

CORN LAWS.] Lord *King* said, he held in his hand a petition signed by several thousands of the population of Preston and its neighbourhood. It came from a district which was populous, but grievously oppressed by the Corn-laws—that great dead weight which bore down all classes, one excepted. The petition was therefore against pauperism and famine; against the pauperism price of corn, which was 60*s.* the quarter; and against the famine price, which it reached when it got to 70*s.* and upwards; and this famine price he fully expected corn would this year reach. This question, fairly stated, lay between the interests of the landlords on one side, and the prosperity of the country on the other. On the one side was power; on the other reason and justice; but the latter he was sure would triumph, if the good intentions of the noble lord on the other side were not fatally counteracted when he came to take up this question seriously, as it was hoped he soon would do. When the price of corn and labour in France and Germany was less than one-half of the price in this country, it was impossible to prevent our manufacturers from removing to those countries. By what magic could our manufactures be prevented from being transferred to places where there was security for property, and where the profits of industry would be great in proportion as wages were lower? What right had the members of the legislature to persist in maintaining a system of laws, which must condemn this country to all the miseries inseparable from a declining state of society?

The Marquis of *Salisbury* was surprised that the noble lord, holding the opinions he did, had suffered the session to pass away without bringing forward any motion for the discussion of the general question. This would be a fairer course of proceeding than attempting day by day to stir up and irritate the feelings of the manufacturing population. If the noble lord brought the question fairly forward, it would soon be proved that the welfare of the manufacturing classes depended upon the prosperity of the landed interest; but the noble lord chose rather to let the session elapse, than to bring the question to a direct issue.

Lord *King* said, he was quite willing to bring the whole question forward, if any effect could be produced by so doing. It was generally understood that the only alteration of the corn-laws that could be carried was a protecting duty. Now, a bill for imposing a duty of any kind could not originate with their lordships. If the forms of the House permitted it, he would bring in a bill to-morrow.

The Earl of *Lauderdale* observed, that it had already been often pointed out to the noble lord, that a more manly course for him to follow would be, to bring the question of the corn-laws regularly before the House; but, instead of doing so, he preferred letting off every now and then a few little squibs. If the noble lord knew any thing of the history of the corn-laws, he could not stand up in that House and assert, that the object of those who wished to maintain those laws was to give dear bread to the poor. In the reign of Charles 2nd the protection against foreign corn amounted to 8*l.* the quarter, and from the years 1760 to 1775, when not a particle was imported, but when 600 quarters were exported, the price of grain did not exceed 33*s.* the quarter. Upon a fair examination, the noble lord would find, that the maintenance of what he called the dead weight was the way to get cheap bread to the country. Under that system, bread would always be afforded cheaper than under any other. In another point of view in which the noble lord had looked at this question, he was equally wrong. He thought that there was danger of the manufacturers of the continent underselling those of this country. Now, did he mean to say that the low price of labour had any thing to do with the low price of grain? He knew there were persons who maintained that principle, and also that the price was affected by the currency. He would, however, contend, that the price of labour, like the price of every thing else, depended upon the supply and demand in the market. If the noble lord referred to documents which were before the House, he would learn that in those years when grain was dear, labour was generally cheapest; and that like all commodities, its price was regulated by the supply and demand. On a former occasion, to illustrate this principle, he had sent to Glasgow, and got the price of weaving a certain article for thirty years, and compared it with the price of wheat. The result was, that precisely as corn rose, the price of labour fell. This was not the case with manufacturing labour alone; the principle applied equally to agricultural. A Mr. Mills, who had been examined before a committee of the House, had stated, that in enclosing a farm, the portion of work which, in a cheap year, cost five shillings, he got done in a dear year for half-a-crown. He had thrown out these facts to correct the noble lord's erroneous views on this subject, but he could assure the noble lord, that nothing which he might say should provoke him to reply to the calumnious aspersions he had thrown out on the landed interest—a body composed of persons who paid more attention to the welfare of the poor than could be paid by any other class in the country.

Lord *King* was not surprised that the noble earl should object to the course he pursued. The noble earl blamed him for using squibs, and asked why he did not bring the question regularly forward. Now, this was easily accounted for. Every one had his own particular mode of warfare. His weapons were those little squibs, of which the noble lord complained so much. The noble earl had also his particular mode of warfare: he dealt in paradoxes or crotchets. One of these was, that a protecting duty of 8*l.* the quarter, made corn cheap in the days of Charles 2nd. But the noble earl should have recollected, that then plenty of good land lay uncultivated, and that there was not one quarter of the present population. At such a time the protecting duty would make good land be cultivated, and as cultivation was extended, the corn produced in this country would become cheap. Now, on the contrary, all good land in every part of the country had long been in cultivation, and the evil of the corn-laws was, that bad land was resorted to for raising corn, and labour uselessly thrown away on its cultivation. Another crotchet of the noble earl was, that dear corn made labour cheap. The price of labour might not correspond with the price of grain in a particular period, but it always did accommodate itself to it in a series of years. If it did not, if there was not this relation between food and labour, then those who made corn dear, knowing that labour was at the same time to be cheap, were guilty of tenfold more injustice and cruelty to the poor, than he had ever ventured to impute to them.

The Earl of *Malmesbury* was not much disposed to the present sort of warfare, but could not help congratulating the House on the explanation which had just been obtained from the noble lord. It now appeared that the noble lord did not look forward to a free trade in corn, but that he was for a protecting duty. That was the reason he had assigned for not bringing the subject regularly forward. He always thought that the noble lord's doctrine was, that the poor man should have cheap corn, come from where it might—from Germany or Japan. He could not before understand why the noble lord came forward with speeches every day, but now the matter was clearly explained.

LOCAL PAYMENT OF BANK NOTES.] The Marquis of *Lansdown* rose, for the purpose of moving the second reading of a bill, the object of which was, to make bank notes payable where they were issued. He thought it would not be necessary for him to detain their lordships long in recommending or detailing a principle with which they had become familiar, in the course of the discussions that had taken place during the present session. That principle was, that a check ought to be provided against the over-issue of paper-money, and that that check should be founded on a metallic basis. Before, however, he proceeded to the discussion of the measure he now proposed, he would take that opportunity of correcting a misapprehension that had gone abroad respecting the intentions and operations of this bill. Owing to some error, certainly not occasioned by the terms of its provisions, it was imagined that this bill was intended to prevent bank notes being made payable at other places than those at which they were issued. That was certainly not its object. It was not intended to interfere in any manner with the number of places where bank notes might be issued, or where the parties issuing them might choose to make them payable. Its only end was, to secure to the public the means of converting those notes into cash at the place at which they were issued. This measure was one of considerable importance, as it related to two points. First, as it regarded the amount of the paper currency of this country, and in connection with its amount, the possible excess of the issue; and, secondly, as it was connected with the banking system of the country, which ought to be exercised in perfect freedom, and which should be preserved in all its parts, on a fair and equal footing. Their lordships had already determined, with respect to, the first of these points, that some check should be afforded to the paper circulation, and that no check against undue circulation could be better than that which was founded on a metallic basis. As their lordships had so determined, of course they would wish that the intended check should operate as readily, as fully, and as completely as possible. To effect this, there were no better means than to give every facility to the inhabitants of the place where bank notes were issued, to take those notes on the first alarm immediately into the bank from whence they were issued, and to procure from that bank payment in cash for the notes so returned. The immediate payment in cash of those notes was what the community had an undoubted right to require at the hands of those in whom the legislature consented to vest the power and privilege of creating paper money, and circulating it through the country. No one could doubt, on referring to the events of last year, that it would have been very desirable if a greater facility had been afforded to the people of this country to keep such a check on the issue of paper money, and, by creating a salutary alarm, to prevent those who traded on insufficient capital, from carrying their speculations too far. These persons had, in fact, deluded both themselves and others by their manner of trading; and much of the evil which had arisen from this mutual delusion might have been avoided, if the system on which their business was transacted, had permitted the existence of a salutary alarm, which might have induced them, in the first instance, to contract their issues, and thus to avoid those dangers which afterwards overwhelmed themselves and their neighbours. To this system of speculation, a gradual and a certain check would be provided by the present bill, which made all notes convertible into gold at the place where they were issued. The proposition of this measure had already created a considerable sensation, not among those bankers who might be truly called respectable, but amongst those who entered into the important business of banking with an insufficient capital. As a proof of the effect which this bill might be supposed to have produced among the latter class of men, when they viewed it as a measure which would limit the amount of their circulation, he might mention, that there had been an instance of a banker, who, after making issues of his notes, had, for the sake of forcing those notes into circulation, entered into an arrangement with the paymaster of a regiment, to whom he agreed to give a per centage on such of his notes as he should force into circulation, by making them the medium of payment to the troops under his command; the amount of this per centage being proportioned to the distance of the place where the notes were paid away from that at which they had been issued. This instance clearly showed the importance which bankers attached to the circulation of their notes. He should now refer to the second ground on which he conceived this bill to be necessary; namely, with respect to the placing on an equal footing of liability all the banks in the country. In his opinion, the business of banking should be carried on in a spirit of free competition. Now, if some banks were to be made liable to be called on for payment of their notes in cash, and others were not to be subjected to the same liability, it was evident that the latter would possess a great advantage over the former, and the spirit of free competition be destroyed. In such an arrangement, it would always be in the power of one bank to ruin its rival, by creating a false alarm, and thus compelling that rival to pay its notes in gold. By this means, the bank that was under no such liability, might pump out the gold from the others, and, instead of preserving a reservoir of the precious metal for its own use, it might draw all it wanted from the reservoir of its neighbours. If their lordships did not prevent this practice, was it not clear that, in the course of events, we should arrive at a state of things in which the country would only possess notes payable any where but where they were issued? It was owing to this practice, that the notes of one bank in Ireland were at a discount, while those of another were at par; and one was obliged to procure gold to meet its engagements, while the other was constantly receiving it. To avoid such a consequence, and to arrive at a safe and equitable course of proceeding, he called on their lordships to adopt, if not this bill with all its present provisions, at least a bill with a similar object. He was aware that there were persons who did not object to the principle of the bill, but who thought there ought to be some exception as to the extent of its operation. He believed they were of opinion that Scotland should form the exception; and, certainly, after the many opportunities he had had of knowing the talent, the skill, and the judgment which the people of that country employed in the regulation of their commercial and civil arrangements, he should be the last to say that they might not have formed such a system of banking, as to entitle them to be excepted from the operation of those rules which were imposed upon others. Of this, however, he was certain, that whatever might be the advantages of their system, if it was ever necessary to be defended, it would be defended with a degree of skill, of zeal, and, above all, of unanimity, which the people of the south were not accustomed to display on similar occasions. Before, however, he agreed to an exception, even in favour of a people, for whom he was free to confess he felt a sincere respect, he should require that the bill should be passed through its second reading, previous to any alteration being made in its provisions. He believed, that if passed, it would be found fully calculated to guard against a recurrence of those dreadful evils which had lately afflicted this country, through the imperfect and ill-arranged system of banking, by which over-trading was so much encouraged, and such mischievous consequences were incurred. He had the authority of some most respectable country bankers, for saying that such would be the effect of this measure. Those gentlemen were of opinion, that after the passing of this bill, no respectable banker would attempt to circulate his notes where he did not intend to make them payable in gold; or that, if any banker did so, such attempt would be defeated, as the people would only take those which they might at once, in case of necessity, convert into cash.

The Earl of *Farnham* said, he had no objection to the bill, if it was meant to operate prospectively; but he felt, that if it was to relate to the paper now in circulation, great difficulty, and indeed much injustice, might arise from the manner in which it was at present worded. As it at present stood, its effect would be, to oblige bankers to call in their notes and to re-issue them with new stamps. And here he ought to observe, that there would be some difficulty in defining what was meant by the word "issue." He would illustrate what he meant, by a reference to the bank of Ireland. Their issues were very large, and a considerable part of the circulating medium of Ireland consisted of their notes, which were made payable in Dublin. Now, if these notes could not be taken in Belfast or Cork, all the notes which were at those places would be thrown back into the branch banks, from whence they had been issued; and these banks would be compelled to make an entirely new issue of notes, payable in cash, at each of these cities. The object of the bill was one which he had no doubt, all their lordships wished to support, but its provisions were not framed exactly as they should be; and when it came into the committee, some better means of attaining that object, he thought might be discovered.

The Earl of *Rosslyn* observed, that as the bill now stood, it would nearly put an end to the circulation of the bank of Ireland; for every note must be called in, and dated from the place at which it was issued. According to the construction which he was disposed to put on the provisions of this bill, he thought it would not reach the banks of Scotland. It was intended to prevent the issue of notes by agents; but as it was at present framed, it seemed to him that it could not prevent the re-issue of those old notes which might come into the hands of the agent, unless, indeed, it was intended to affix to this bill such a heavy penalty as would put an end to the free spirit of banking altogether. If, however, the construction which his noble friend seemed to put on the bill was correct, it certainly would destroy the system of agency in Scotland. What effect it would produce with respect to agency in Ireland, he could not say; but he thought that with regard to that subject, their lordships had created a difficulty which this bill would not remedy.

Lord *Melville* said, that though rather late in the day, he should now give notice of what he intended to move in the committee, instead of discussing the bill at the present moment. The noble marquis had supposed that Scotchmen would be unanimous in whatever they said on this measure. He believed that supposition would not be found to be quite correct; at least with respect to the question of what was fit to be done with regard to Scotland. But there certainly could be no division of opinion among them on a question of flagrant injustice. It was proposed to alter the Scotch system of banking, and to prohibit the circulation of all notes under 5*l.* That proposition had been referred to a committee, whose report could not be made for some time. Now, he could say positively, that all the banks in that part of the kingdom viewed the present bill with the utmost alarm. Their system might, perhaps, ultimately appear to be bad; but until that fact was established, he thought no alteration should be attempted; and he therefore hoped, that before their lordships passed this bill, they would make it a subject of inquiry; at least with respect to the effects it might produce upon Scotland. Their lordships had already determined to inquire as to one part of the proposed alteration; and he thought they ought to extend their inquiry to another. The system was new in England, and they might do what they liked with it. He did not know much of Ireland; but as to Scotland, he would say, that if their lordships made any alteration in the present system, they would compel the great banks to remove their branch banks from the different parts of the country: and therefore they should examine well what was proposed, before they decided on adopting a measure of such vital importance to the interests of that country. He hoped that the noble marquis would not object to delay legislating for Scotland until after the inquiry now in progress had terminated.

The Earl of *Lauderdale* said, that, after what had fallen from his noble friend, he had no further objection to urge to this bill. Still, however, he must declare that he thought the title one of the most defective that could have been chosen. It appeared to him to have no meaning whatever; and, as to the bill itself, he believed that, if it was brought into a court of law, it would be found to be of but little effect. He had no difficulty in saying, that if Ireland had not been a part of the United Kingdom, this bill would have had no existence. Its object was, to make all notes payable where they were issued. Now, an issue to an agent, or to a partner, was, in law, such an issue as to come within the words of this act; and as all the notes of the bank of Ireland were, in that sense of the word, issued in Dublin, they must always be payable there, and this act would, therefore, produce no difference in the matter. He thought he could make the act more effective in this respect; but then he wished to know whether, to gain such an object, their lordships were prepared to run their heads against a greater evil? The Dublin bank had branch banks at Sligo and Belfast. Now, suppose he had business at Sligo, and received from the bank there, notes issued from the Belfast bank for a sum of 5,000*l.* These notes could not, if this bill was to pass, be made available at Sligo, but must be returned to Belfast for the purpose of being converted into cash. The late discussions had taught parliament some things in the management of the banking business, of which they were before ignorant. One of these was the fact, that the agents of the Belfast bank distributed the notes of that bank at fairs, for the accommodation of the people. Now this practice must cease altogether, if the notes were to be made payable at the place where they were issued. The effect of this bill would be, to make the branch banks act in rivalry of each other, instead of affording mutual support; and surely such a course would be a matter of greater grievance than the object proposed would be of benefit. The consequence in Scotland would be, that there would be no branch banks except in Glasgow, or in one or two other principal towns, which, however great in themselves, were immaterial when compared to the country at large. The noble marquis had said, that if this act was passed, no respectable banker would attempt to circulate his notes in any place in which he did not intend to make them payable; but surely that was little recommendation, since it was less the object of all laws to afford a guide to respectable men, than to compel men who were not respectable to act with propriety and correctness; or, in other words, laws were not usually made for good, but for bad men.

The Earl of *Limerick* said, that at the first blush of the question he had thought this bill was a very proper measure; but, on further consideration, he felt some objections to it. He was inclined to adopt the same course which had been taken by the noble lord, who had recommended examination and inquiry. Noble lords from his own part of the United Kingdom were not generally so united as those who owned Scotland for their birthplace. He should therefore feel inclined to enlist under their banners, and take refuge behind the sanitary cordon which the latter had attempted to establish. He thought the present measure ought not to be precipitated. Examination ought to be afforded, and that examination ought to be instituted with respect to Ireland as well as Scotland.

Lord *King* observed, that this bill was introduced to prevent disreputable practices, but it unfortunately extended to Scotland, and consequently it had the whole body of Scotch lords on their legs to oppose it. It put him in mind of a passage in Mr. Burke's celebrated speech on economical reform, in which he stated that lord Talbot had attempted to reform the king's household, but that the measure was defeated, because the king's scullion was a member of parliament. So, here, he found that all attempts at putting an end to the disreputable practice would be frustrated, because some Scotch banker happened to be a member of parliament.

The Earl of *Caledon* hoped the noble marquis would persevere in his motion. He saw nothing to prevent the House from going on, even whilst an inquiry was taking place.

Lord *Clifden* thought that, as the measure had for its object the restriction of paper issues, it ought to be adopted. He had seen the bad effects of the present system in Ireland; and, if bank notes there were to be payable only in Dublin, the same evils might occur again. It was not men of fortune, but the lower orders who would be the sufferers. He believed, however, that, owing to the misery lately endured, the inhabitants at large would only have gold; and if so the evil would thus effect its own cure.

The Earl of *Liverpool* thought the object contemplated by this bill a most desirable one, and he would, therefore, vote for its second reading; but then a great many difficulties presented themselves, and the House must take care that, in trying to remove one evil, they did not fall upon another. He would, therefore, suggest to the noble marquis the expediency of allowing a longer period to elapse than usual, before the bill was committed. He was in expectation of receiving important information on this subject next week; and the discussion, which the bill relating to provincial banks was undergoing in the other House, might also throw additional light on this subject. Under these circumstances he would vote for the second reading to-day, and suggest that the motion for referring it to a committee be fixed for Tuesday week.

The Marquis of *Lansdown* said, in explanation, that he intended the bill to have a prospective effect, and he though the period from which it should come into operation, should be the 10th of October. With regard to the technical objection raised by a noble earl, he could state, that he had taken the advice of lawyers, who assured him that it was fully adequate to effect the object for which it was intended. He would avail himself of the suggestion of the noble earl opposite, and fix the committee for Tuesday se'nnight.

The bill was then read a second time.

HOUSE OF COMMONS.

Friday, April 14.

Bank-Note Forgery.] Mr. *Grenfell*

said, he rose to present a petition from Mr. Benjamin Chance, who stated that he had devised a plan to render more difficult the forging of bank-notes, which he begged the House to take into its serious consideration. He knew nothing of this individual, neither was he competent to judge of the efficacy of the plan; but he thought it highly desirable that the Bank of England should endeavour at least to give the public a Bank-note more difficult to imitate than that at present in circulation. When he last called the attention of the House to this subject, his hon. friend opposite stated, that the Bank of England, in their endeavours to effect this object, had expended 80,000*l.* This statement did not, however, appear to be correct; for, at a recent court of Bank proprietors, at which he was present, the chairman denied the fact.

Mr. *Pearse* said, that this plan had already been submitted to the Bank, and found inefficient to the end proposed. The Bank directors were anxious to adopt any measure that could put an end to forgery; but no plan had been laid before them that could effect that object. He was sorry that the hon. gentleman had let fall an expression which seemed to imply that the directors had not done their duty. When he said that the directors ought at least to endeavour to provide a better note, the inference was, that they had not already used the best means in their power for that purpose. Now, he could assert that such was not the fact. No expense had been spared in endeavouring to effect that object; but, of course, when the directors found that the plans submitted to them had not the requisite merit, they were obliged to reject them. The hon. member must be aware that commissioners had been appointed to inquire, whether any efficient plan could be devised to prevent the evil of forgery, and that a report had been made by those gentlemen, that they could not hit upon one. The Bank had made every effort in their power to attain that end; but they found that the notes of those who came forward with plans were as easily imitable as those at present in circulation. One of the projectors had actually mistaken an imitation of his own note for an impression from his original invention.

SLAVERY IN ANTIGUA—MEMORIAL OF COUNCIL AND HOUSE OF ASSEMBLY.] —Mr. *Baring* begged leave to claim the attention of the House to a petition of very considerable importance. The parties who were now petitioning the House, were the Board of Council and House of Assembly of Antigua, an island with which he had no connexion; but the petition had been put into his hands, and he thought, from the information it contained, and the facts stated in it, that it well deserved the attention of those who interested themselves on the subject of negro slavery. Though the petition was most respectfully worded, so far as regarded that House, yet, undoubtedly, it contained some strong expressions, indicative of the feelings of the petitioners towards the class of persons in this country, by whom they alleged their conduct and motives to have been very much misrepresented; and from whose proceedings they apprehend great danger to their property, and even to their lives. If gentlemen found that the expressions of the petitioners were stronger than might be desirable—and certainly they were much more so than he could wish—they should recollect that some indulgence ought to be shown to persons in their situation, who had no very nice measure of language meted out to them, in the remarks that were made in that House, and elsewhere, for the purpose of holding up their conduct to the country as extremely censurable. Under these circumstances, and imagining their lives and properties to have been endangered by the course adopted in this country, they assuredly had some claim to indulgence, if they expressed themselves warmly. Ever since he had had a seat in parliament, he had been a zealous friend, first to the abolition of the trade, and next to the amelioration of the condition of the slaves; he therefore need hardly state to the House, that he was no party to those expressions to which he had adverted, respecting the individuals who were at present employed in producing hostile feelings throughout the country towards the system of the West-India planters. They were actuated, he believed, by the most conscientious motives; their feelings were most enthusiastic in carrying their object, into effect; and he could not but say, that, to the extent to which they had hitherto gone, the country was very much indebted to them. He must further observe, that the petitioners set forth, that they believed the negro population of Antigua to be in a better state, and in a more improved moral condition, than any other negro population in the West Indies. Now, when they stated this fact, he thought they must be sensible, that much of that improvement in the condition of the slaves had arisen from the attention paid to the subject in this country, and to the exertions of the persons whose conduct they arraigned. There were passages in this petition which seemed to him to be so perfectly true and just respecting the conduct of the planters, and which tended so clearly to relieve them from much of the obloquy that had been cast on them from time to time, that he could not avoid requesting the attention of the House to them. The petitioners pointed out, what was perfectly known to all those who had considered the subject, that the slave trade was originally promoted by this country, not with a view particularly to the settlements in those West India islands, but as a desirable and profitable branch of traffic. It was sustained and supported on its own exclusive merits, as a proper object of national traffic, without any reference to those islands. The petitioners pointed out what was very generally known, that when the Assiento treaty was concluded in 1713, it was avowed, in the face of Europe and the world, that one of the great objects to be obtained by this country under that treaty was, the right of carrying on an extensive trade in slaves; not for the purpose of supplying the islands in the West Indies with slaves, but for the gain and lucre of the trade itself—for the purpose of supplying with slaves places in which the British colonists had no interest whatever. The petitioners stated, that this was a traffic which did not originate in the views of the West-India planters, but was promoted by this country in every possible manner. It had been held up as honourable as well as profitable to the country; and it had been defended, in the face of Europe, without any reference whatever to the interests of those persons who were now pointed out to the world as the only sinners—as the individuals who alone had since reaped the benefits that flowed from it. The petitioners not only stated this fact for the consideration of parliament, but they called to the recollection of the House, this strong circumstance, not only that it was a trade thus originating and thus encouraged by this country, but that, for a considerable length of time, it was so encouraged, even in opposition to the wishes and the interference of some of the colonies, who were anxious to prevent it from being carried on to such an extent. After speaking of the treaty of 1713, by which this country stipulated to supply the Spanish colonies with 144,000 slaves in a certain number of years, the petitioners went on to state, that, from that time, almost to the present, the history of this country was full of provisions for the encouragement of this trade, while the colonies, during the whole period, took no active share in the transaction. They merely purchased what the British merchant brought them: they merely did what the British government desired them to do. The colonies first marked that trade with their disapprobation in 1760, when the legislature of South Carolina, then a British colony, passed an act to restrict it or put it down. That measure was, however, rejected with indignation by the governor, who declared that it was a beneficial trade for the mother country. The petitioners stated, that they had before them the instructions given by the government at home to sir George Thomas on that occasion. In 1765, the attempt was renewed ineffectually. The legislature of Jamaica made two efforts to restrict the trade in slaves; but the governor informed them, that he could not, consistently with his instructions, give his assent to those measures. The House ought to understand clearly what the conduct of the colonies had been. This trade had been forced on them by the mother country, as a fair trade, contrary to their wishes. In 1774 the colonies tried once more to get rid of it; and the House of assembly of Jamaica actually passed two bills to put down the trade. But Great Britain opposed those efforts. Liverpool and Bristol resisted the proposed alteration; and it was referred to the Board of Trade, by whom it was utterly rejected. The gentlemen who composed that board declared, in their report, that they could not think of disturbing or discouraging that trade. This was at so late a period as the year 1774. If there were any abomination or inhumanity, they must look upon it as their own work: it was the child of the British parliament, and of Great Britain; and it was a little hard, because parliament and the people found their moral sense improved, to throw the whole connexion of their sins upon the colonies. He would not trouble the House with any further observations on the petition. He only requested that the attention of the House should be given to it when printed; because, if properly considered, it did show that the parties were entitled to consideration. "You have altered your views,"—such was the argument of these colonists—"you are bound to give us an indemnity, whom you have constrained to adopt that slavery which you will now no longer tolerate." This he thought a very reasonable proposition on the part of the Antigua legislature. Knowing the wishes of the people of this country, though they protested against the idea of ever cultivating those islands by free labour, yet if the government of Great Britain chose to make the experiment, they would give up the island for the purpose on reasonable compensation. They offered the opportunity of purchasing their property on equitable conditions, and pointed out several advantages favourable to such an experiment. The advance of the negro mind was greater there than in any other island: so that the experiment could be made no where with greater advantage. He was decidedly of opinion, that the experiment, if made, should not be on any considerable scale, and that one of the smaller islands was for that purpose much to be preferred. From all he knew of Antigua, the negro population was highly improved. Their moral and religious information were higher than in any other European settlement in those seas, and very much higher than that of the free blacks of any settlement.

Mr. *Manning* corroborated the statement of the hon. member for Taunton relative to the state of the negro slaves in the island of Antigua. Of all the colonies, this had proceeded most rapidly in the amelioration of the condition of the slave population.

The petition was then read. It purported to be, the Memorial of the Board of Council and House of Assembly of the Island of Antigua, and set forth,

"That year after year the memorialists have represented the distressed situation of that colony, produced by the continuation of the War duties on their staple commodities during a period of twelve years' peace, in utter disregard of the pledge given at the time of the augmentation of those duties by the ministers of the day, that such duties should cease on the return of peace and tranquillity; that, although no notice has been hitherto taken of the just claims of the memorialists to relief, they trusted the time would yet arrive when they should be allowed to participate in the prosperity enjoyed by all other classes of his majesty's empire; but so far from such expectations having been realized, the memorialists find that accumulated burthens, and measures tending still further to their oppression and ruin, have lately taken place; the sense of these grievances, however, is lost in the astonishment with which the memorialists view the malignant feelings excited against them by certain dangerous demagogues and interested persons, acting to suit their own immediate purposes, in coalition with the canting pretenders of the day to religion, who, not content with usurping the rights of the established church, seek also to invade the private property of his majesty's loyal West-Indian subjects, many of whose ancestors sought in those climates formerly a refuge from puritanical persecution, and having lost their all, supporting the royal cause against the disciples of hypocrisy in the time of the unfortunate Charles, were content to seek an asylum under the Tropics, and to leave their hard-earned acquisitions as a poor equivalent to their children; this inheritance, guaranteed by the Imperial Parliament for more than 150 years, the memorialists now see placed in jeopardy; they are weary of refuting the never-ending calumnies propagated by designing individuals against them, fully convinced that the ultimate object in view is not the welfare of the negro, but to tamper with his feelings, to rouse him to the destruction of the colonist; the memorialists have seen in a notorious Review such abominable intentions openly avowed, and the invitation actually given to the commission of innumerable murders; in this crisis the memorialists call upon the House to protect them from destruction; they need not remind the Imperial Parliament that Great Britain established the slave-trade in the reign of queen Elizabeth, who personally took a share in it; the colonies did not then exist; Great Britain encouraged it in the successive reigns of Charles 1st. Charles 2nd. and James 2nd., by every means that could be devised; but it was William 3rd. who outdid them all; with lord Somers for his minister, he declared the slave-trade to be highly beneficial to the nation; and that this was not meant merely as beneficial to the nation through the medium of the colonial prosperity, is demonstrated by the Assiento treaty in 1713, with which the colonies had nothing to do, and in which Great Britain binds herself to supply 144,000 slaves, at the rate of 4,800 per annum to the Spanish colonies; from that time, till within a few years of the present time, our history is full of the various measures and grants which passed for the encouragement and protection of the trade; the colonies all this time took no share in it themselves, merely purchasing what the British merchants brought them, and doing therein what the British government invited them to do by every means in their power; the memorialists take leave to remind the House that the colonies first marked this slave-trade with disapprobation, and sought to confine it within narrower bounds; in 1760, South Carolina, then a British colony, passed an act to prohibit further importation, but Great Britain rejected this act with indignation, and declared that the slave-trade was beneficial and necessary to the mother country; the governor who passed it was reprimanded, and a circular was sent to all other governors, warning them against a similar offence; the memorialists have now before them the copy of the royal instructions given to sir George Thomas to the same effect; the colonies, however, in 1765 repeated the offence, and a bill was twice read in the Assembly of Jamaica for the same purpose, of limiting the importation of slaves, when Great Britain stopped it, through the governor of that island, who sent for the assembly, and told them that, consistently with his instructions, he could not give his assent, upon which the bill was dropped; the colonies, in 1774, tried once more, and the assembly of Jamaica actually passed two bills to restrict the trade, but Great Britain again resisted the restriction; Bristol and Liverpool petitioned against it; the matter was referred to the Board of Trade, and that Board reported against it; the colonies, by the agent of Jamaica, remonstrated against that report, and pleaded against it on the grounds of justice and humanity; but Great Britain, by the mouth of the earl of Dartmouth, then President of the Board, answered by the following declaration: 'We cannot allow the colonies to check or discourage in any degree a traffic so beneficial to the nation;' and this was in 1774; the imposition of slavery therefore being the act and deed of the British nation, and as that nation has called on its legislature to adopt speedy and decisive measures for the abolition of slavery in our colonies, the memorialists pray the House will take care that the abolition is effected, not by depriving others of the property which the British nation has constituted such for its own benefit, but by paying the costs of the abolition, a measure which can alone entitle it to any credit in the eyes of the world for that high claim to humanity so advocated by a numerous portion of our fellow-subjects, whose sincerity can thus alone be established; in whatever manner this can be contrived, the risk of the experiment, in common justice, should fall on the nation at large; and, previous to a complete diminution of the value of their property by a course of progressive enactments, all tending to this injurious result, under the present system pursued, compensation should take place, and be the basis of any future propositions; it will be too late to make an estimation when a ruinous result has arrived, for the cause may then be disputed; the memorialists cannot be expected to abide by such a condition; one mode of extrication from these difficulties, and that simple and apparent, remains to the British nation; let the nation at once assume to itself all colonial property, and make moderate but just compensation to the proprietors for the whole: it then can do that on its own account which is now required of the proprietors; if there be risk, it will be incurred, as it ought, by the nation demanding the change; if there be loss, it will fall, as it ought, on the nation at large; and if there be gain, it will be, as it ought to be, the gain of those incurring the risk; if, however, such a plan be deemed of too great a magnitude to be at once adopted, the memorialists, willing to show their sincerity, and that they are prepared to do all in their power to terminate slavery, offer to the consideration of the House the purchase of all property in the island of Antigua, for a fair and equitable consideration of the interest of private property; that colony being, from its local advantages, and the advanced state of the negro mind, in moral and religious instruction, peculiarly adapted for the trial of the cultivation of sugar by free labour, which theory, although the memorialists deny the possibility of, and cannot consent to be made the victims of, any such experiment, they are fully warranted in asserting cannot be attempted under more favourable auspices in any other island in the West-Indian Archipelago."

Ordered to lie on the table.

EDUCATION IN IRELAND—PETITION OF ROMAN CATHOLICS.] Mr. *John Smith* rose to present a petition from the Catholics of Ireland, assembled at an aggregate meeting, praying for a grant of money for the Education of Catholics in Ireland in their own way. The petition was signed by several thousands of persons, and, he believed, expressed the sentiments of the great body of Irish Catholics. He requested the attention of the House while he stated the object of the petition. The petitioners complained that the education of the poor in Ireland had not been sufficiently attended to since the Reformation. Before that time they had been supplied with the means of education out of the funds of the Church; and since that time some of them had been educated by means of contributions from the Catholics themselves. They complained of the conduct of the Education Commission with respect to the Catholics, but in that complaint he could hardly agree with them. That Commission had recommended, that the Protestant and Catholic children should be educated together, and the petitioners claimed, that where the Catholic children were the majority, the master should be a Catholic; and where they were the minority, that a Catholic usher should be appointed. They insisted that no books should be read by the Catholic children, except such as were approved by the Catholic bishops of Ireland; and they complained, that the House had advanced money to certain Education societies, whose real object was, not the education of the Irish poor, but their conversion to Protestantism. The House ought to be thoroughly informed as to that fact, before they voted any more of the public money in this way. That there were some societies whose real object, under pretence of education, was proselytism, he fully believed; and he was not sure that even the Kildare-street Society was wholly exempt from that imputation. Although he himself was fully convinced of the importance of teaching children to read the Scriptures, yet nothing could be more illiberal and intolerable than to compel the Catholics to read books which they did not like. He requested the attention of the House to the manner in which these things were managed in foreign countries, especially in France, where, by an edict of Louis 18th, it was directed, that in all the primary schools, no Jewish child should be compelled to read any books, except such as had been approved of by the Jewish Consistory. Although he regretted the extent to which the Catholics carried their objections to the reading of the Scriptures, yet, on the principle of toleration, he was of opinion, that they should receive education in the manner they themselves liked. In pursuing that part of the subject, he begged leave to refer to it in support of his argument. There were, as hon. gentlemen well knew, persons employed by various societies in this country, to effect, as far as possible, the conversion of the unenlightened inhabitants of the East and West Indies, and other remote parts of the world, to our religion. What course did those missionaries pursue? They began, not by putting the Holy Scriptures into the hands of the ignorant people, but by endeavouring to civilize them, by teaching them to plant corn, to rear poultry, the use of domestic animals, &c. and having thus acquired their confidence by acts of kindness and beneficence, then did they attempt to direct their minds to the great subject of religion. He would, therefore, say, if we would convert the Irish nation, we must change our course altogether. What was the opinion which the Irish Catholic entertained of the Protestant clergy? Did he estimate them by the rates which he paid for their support, or by comparing their wealth with the poverty of the Catholic clergy? Every circumstance conspired, and none more than the conduct of those enthusiasts who roamed about the country, to convince the Catholics, that the destruction of their religion was the object which the supporters of the Established Church had in view. Among other circumstances referred to by the petitioners, in order to prove that part of the case, was the examination of a very active and worthy gentleman, captain Gordon, by the commissioners of Education. He was asked—"Is the object of your mission Proselytism? —No. What then is your object?—To teach veritable Christianity." And then the captain went on to state his opinion, that the Catholic religion was any thing but Christianity. The cause of religion was more injured than benefitted by the conduct of such individuals. He considered it highly injudicious to vote one shilling of the public money to any society for the promotion of education, unless Proselytism were left entirely out of the question. Nothing of that nature could be effected by force, nor should any thing of that nature be attempted. The petitioners prayed, that the House would divide that portion of the supplies for the year awarded for the purposes of education among the several religious sects, in such manner and proportions as should appear meet. With respect to those proportions, a return on the table shewed that the number of children of all classes, in the various schools in Ireland, was 569,075; that of these 421,415 were Catholics, and of this latter number only 31,058 received any public assistance; the remaining 390,000 being educated at the expense of their own parents and other Catholics. And yet these were the people who, we were told, were hostile to education and to religious instruction. He should therefore call upon the House to assist in the education of the Irish poor, but at the same time to suffer Catholic parents to educate their children as they thought right. Reason told us, that he who had moral feeling—he who was embued with the principles of Christianity—he who was impressed with the belief of a future state —was protected against the approach of a crime. His argument thus came home to the feelings of every hon. gentleman, and he should conclude, by reference to facts, that, in addition to the considerations of policy and justice, we were called upon, on the score of gratitude, to attend to the prayers of the Irish Catholics. Those facts were—that in a very early period of our history, a great portion of the education which the people of this country received, was owing to Irish interference, and it was not too much to assert, that the light of the Gospel first shed its rays on England, reflected from the Irish shores. The hon. gentleman concluded, by strenuously recommending the petition to the attention of the House.

Mr. *Butterworth* said, that, as friends of the government, of the state, and of the protestant religion, which was strictly interwoven with the constitution, they were bound to refuse the prayer of this petition. The people of Ireland were not disinclined to reject the Bible. The priests alone prevented its reception. But for them, education would go on well in that country. They prevented the spreading of truth and of morality: they encouraged disorder and opposition to the laws, and the disturbance of the public peace of Ireland. Why should they want the benevolence of parliament? If they earnestly desired the good of the people, according to their own account they were well able to effect it. They boasted that the Catholic Association could raise 1,000*l.* a week for projects of sedition and designs against the state. If they possessed proper feelings of benevolence, they would far more readily contribute that much for the education of their poor. The priests had had the control in that country for ages. What had they done? Compare Scotland and Ireland in point of education; what a contrast! The modes of education were different. In Scotland the Scriptures were the basis of education, and they inculcated the highest sense of morality, of justice, of obedience to the laws, and of respect for one another. It was not a fit thing for parliament to vote money to be laid out in educating the people in a system which put them in hostility to the religion of the state. He declared openly, and he wished others to do the same, his zeal for proselytism. What, then, were they to be frightened at the sound of a word? It was proselytism from ignorance and vice, to morality and knowledge. What should hinder a good man from being anxious for such a change? He repeated his conviction, that money ought not to be granted for educating people in a religion hostile to the state. The Reformation was glorious in this respect—that it gave back the Scriptures to the laity. He had great faith in it, because many great men suffered death for its sake, and he could not believe that they died in error. If they were friends to that Reformation, if they were foes to immorality, fraud, delusion, tyranny, and superstition, they would refuse the prayer of this petition.

Mr. *W. Smith* said, there was not an hon. member in that House whose religious opinions differed more widely from those of the Roman Catholics, than his own. Still, he thought that the state ought to suffer every class of persons to educate their children as they thought proper. What he wanted was, to see education, of some sort or other, diffused all over Ireland; and he would infinitely prefer seeing the Irish poor educated in the principles of the Catholic religion, even though we could never hope for their conversion to Protestantism, than that they should remain in that state of ignorance, which, he feared, would be their fate, if the present system was persisted in. The situation of Ireland was a disgrace to this country, under whose mismanagements she has been for so many centuries. He had learned, from authorities that could not be doubted, that the Irish were naturally a kind, brave, loyal, generous, and humane people; but, when he read the newspapers of the present time, and found that they detailed burnings, murders, and other most horrible outrages, he asked himself, by what means that melancholy change had been brought about? He had made, from the newspapers, a small collection of such outrages that had happened within these few months in Ireland, as would wring every humane heart. The grief and sorrow were theirs, but the blame rested with us; for if we had done our duty towards that unhappy country, it would not have been possible that those disorders, which were of every day occurrence, should continue to be perpetrated there, and indeed here, by the lower classes of her people. He would much rather that education should go forward; for there was no evidence that the moral virtues belonged exclusively to the professors of Protestantism. The English government had been guilty of the greatest injustice in taking away the whole of the revenues of the Catholic church in Ireland, and not applying any portion of them to the education of the people. If they had been so applied, Ireland would now present a very different aspect, whether the religion taught was Protestant or Catholic. But those revenues were not applied to this most useful purpose. They were devoted to the maintenance of Protestant ascendancy; to the keeping up of one party, and the keeping down of another. He wished this country to pay proper attention to the means of educating the Irish poor, without troubling themselves about their religion; and, as a Protestant, he would say, that a system of liberality would much sooner subdue the prejudices, animosities, and jealousies, by which that country was agitated, than any attempt to keep the people down by a contrary mode. It had been said, that Catholicism was the mother of infidelity; now, infidelity had not been produced in Ireland by Catholicism, but by endeavouring to force the people to become Protestants. The hon. member who spoke last had alluded to the French revolution, and had said, that France owed her ruin to the infidelity produced by popery; but what could the hon. member mean by the expression? That country had never been in such a flourishing condition as she now was. If a comparison was instituted between her and the other countries of Europe, he believed she would take the lead of most of them. The term ruin was as little applicable to her as to any country with which he was acquainted. He hoped the petition would be allowed to be brought up. He did not agree in all the sentiments which it expressed, but it deserved the serious attention of the House.

Mr. *Carus Wilson* concurred in some respects with the sentiments of the hon. mover, and differed in others. He was willing to allow that every possible means ought to be adopted for diffusing the blessings of education among the Irish poor, and that any education, whether Catholic or otherwise, was better than none. But with respect to the question, whether the Scriptures should or should not be introduced into those mixed schools, he felt himself bound to say, that any system of education, which had for its basis the exclusion of the holy Scriptures, should meet with his most decided opposition. The Scriptures were the birthright of every one, and he could not consent to their exclusion.

Mr. *G. Bankes* concurred in so much of what had fallen from the hon. member for Dover, that it was almost useless for him to say any thing upon the subject. There was no foundation for saying that there was no religion taught in the English schools. He had himself attended one for nearly eleven years, and he could not, on recollection, point out one of them in which the Scriptures did not form some part of the system of education. The masters of those schools were members of the established church, and distinguished for their piety. The system could not be presumed to have been altered since that time.

Colonel *Trench* said, he felt the necessity of education to the Irish poor as much as any one. There was a strong appetite for it, he was happy to say, among them; but there were two great enemies which opposed its diffusion, the priests, and those enthusiasts, who, by their mistaken zeal, compelled them to pursue a course, of which they would otherwise have been ashamed. He knew this to be the fact from experience, and that those who went about endeavouring to make converts did more mischief, and retarded the improvement of the people and of the country more than either priests or bishops, or foreign influence. The endeavour of government ought to be to do away with all distinctions, to heal animosities, and to remove the causes of discord. He believed, that if that mischievous society, which had agitated the people of Ireland by its intemperate zeal had not existed, the population of the country would long ere now have been firmly united, and have adopted those maxims of our holy religion, which all parties professed, as a common creed. At the present moment, such was the zeal with which the Bible was sought after, that the priests were unable to prevent it from circulating extensively among the people. He regarded the measure now suggested as the most injudicious that could possibly be proposed. It would afford him great pleasure to see the children of both persuasions educated together, instead of being brought up at enmity with each other. An endeavour should be made to establish a sort of neutral ground, in which both Catholics and Protestants might meet in harmony.

Mr. *Maurice Fitzgerald* said, that the hon. member for Dover had favoured them with a sermon against popery, with which the petition had nothing to do. It only prayed for a portion of the public money for the purposes of educating the people. He could not therefore conceive why the hon. member should have travelled so far out of his way. The Catholic clergy required to be met by a spirit of conciliation, and if they had only the regular clergy to deal with, he had no doubt harmony would have prevailed; but a set of sectarians had crept in, and introduced such a spirit of rancour and animosity, as to prejudice the people against the Bible and those who taught its unrestricted perusal. They conceived that these persons were desirous of detaching them from their ancient faith. And was it not natural that the clergy should be roused by such attempts. The hon. member for Dover had contrasted the conduct of the Irish clergy with those of other countries, and particularly with that of Scotland? But what was the difference between the two? The Scottish clergy had been endowed with the means of imparting the blessings of religion, while the latter were left to their own unassisted efforts. Nay, that very clergy, be it remembered, who had been attacked with such unsparing severity, had had their property confiscated over and over again. It had even been a matter of penalty, and that at no very distant period, to practise their religion at all. Yet, notwithstanding their small means, they had done more for the cause of education than those who had profited by the liberality of parliament. They deserved none of the denunciations of the hon. member. They had done all that lay in their power, and more than most would have done in their situation. He must, however, allow the hon. member credit for candour. Though he did not belong to the proselytising societies which agitated Ireland, he had confessed his approval of their exertions; and had stated, that if he lived in that country, he would aid their endeavours. To this part of his speech, he should merely reply by stating, that in saying so much, he was not only attacking the petition, but the report of the commissioners of Education. It was the opinion of almost every one, that no attempt at proselytising should be made; and he was quite sure that if such a course had been pursued, the utmost unanimity would have prevailed.

Mr. *J. Smith* said, that all the petitioners asked for, was a right which every class of people ought to enjoy; namely, the right to put such books as they pleased into the hands of their children, for the purpose of educating them.

Mr. *Butterworth* vindicated himself from the attack made upon him by the hon. member for Cambridge. He denied that the conduct of the societies to which the hon. and gallant member had alluded, were in any respect injudicious or mischievous. As long as the great mass of the people of Ireland were allowed to remain in ignorance, the Roman Catholics were quiet, for ignorance best suited their purposes; but the moment it was attempted to give education to them, the priests rose up to oppose it, and in their efforts to follow up that opposition, they were the cause of all the mischiefs that occurred in Ireland. They intruded themselves into Bible meetings to which they were not invited, and were the occasion of much disturbance, on some occasions attended with no little danger to the promoters of such meetings. He could give one instance in which at a public Bible meeting at Carlow, the priests attended supported by an immense mob, from whose violence some of the friends of the Bible society were obliged to fly with their lives: some escaped by getting over walls. [Cries of no! no!]. He said, yes, yes. He was not at all surprised at the attack made on him by the right hon. member for Kerry. He was prepared for an acrimonious reply from that right hon. gentleman, as he had before experienced similar treatment from him. As to the insinuation of the right hon. gentleman respecting the hostility of the sectarians to episcopacy, he would leave the hon. member for Norwich to answer it, as he (Mr. Butterworth) was a member of the established church, and sincerely attached to it from conviction.

Sir *J. Newport* said, it was not his intention to have offered any observation on the petition before the House, but after what had fallen from the last speaker, he could not remain silent. The hon. member had alluded to a Bible meeting which was held in Carlow. Now, he would assert, that the circumstances mentioned by the hon. member connected with that meeting were wholly without foundation; and he was enabled to contradict them on most excellent authority—that of colonel Rochford, who presided at the meeting on the occasion. That most respectable gentleman, who was deservedly respected by all parties, had stated in his evidence before the committee on the state of Ireland, that the accounts given of the proceedings at that meeting, and which the hon. member had just repeated, were misrepresentations of the real facts. The whole originated in an alarm which was unaccountably raised in the room. A rush to the doors was the consequence, but there was not the least truth in the imputation made on the Catholics. Such was the testimony of a most respectable witness, who had been selected by both parties to act as chairman. It was false to say that the Catholic church absolutely refused the Bible to its members. Such was not one of its tenets. They merely objected to placing the Bible without note or comment in the hands of young persons, and in that view they were borne out by some of the most dignified members of the church of England, who opposed the indiscriminate reading of the Bible, without the church catechism. He protested against the constant practice adopted by some members, of imputing to persons doctrines, which they who knew best denied. If the House were to dictate to the Catholics the education which they were to receive, their proposition would not be attended to, and consequently their efforts would tend to no good. Even without the assistance of parliament, education had been extended to a great portion of the Catholic peasantry, through the exertion of the priests. Doctor Doyle, among others, had established several schools.

Ordered to lie on the table.

Bank Charter Amendment Bill.] On the order of the day for going into a committee on this bill,

Mr. *Hudson Gurney* said, that at the commencement of the session they had been informed, that the banking system, now liable to, and productive of, very serious evils, should be placed on an improved and solid foundation. Towards the fulfilment of that promise, nothing had been done save the introduction of this unhappy bill, which had come to them from the Lords; under which, it was next to impossible, that any banking establishment could be set on foot; and, if such were the case, it would be a public nuisance. The bill was copied from the Irish bill; and the Irish bill only worked by the contradiction of its clauses giving opportunity for evasion. The notes of the Irish banks were not to be payable in Dublin; and they were not to draw upon Dublin for sums under 50*l.* for so stipulated the bank of Ireland. But, under a clause introduced by the hon. member for Limerick, the Irish banks were allowed an agent in Dublin; and the agent in Dublin paid the notes, though not there made payable on the face of them. If a bill were wanted for 50*l.*, the provincial banks could not draw it, but the baker next door could draw it for them. The whole was a proceeding which the Bank of England should have done any thing rather than have imitated.

These joint-stock banks were to be eminent in their solidity; and the first announcement of the formation of these solid banks, he held in his hand, as issued by Messrs. Wilks and Verbeke, of Broad-street in the City. Their prospectus declares, that "towards carrying into effect the bill introduced by lord Liverpool, there is to be a provincial bank for

England and Wales; the capital to be real and not nominal: the shares to be *2l.* each. To issue their own notes payable only where the bank is established, and the depositors to be safe from losses arising from speculations in the trade of private bankers."

The letter addressed with the prospectus, to ministers, members of parliament, and other men of weight, concludes in this inviting manner:—"To you we apply to become one of the vice-presidents of this national association. You will connect yourself only with some of the most respectable and influential individuals; and you need not at the same time, by your acquiescence in this request, take any shares. The company will have a patron, presidents, vice-presidents, governor, deputy governor, directors, and probably a committee of management." P. S. "The appointment being merely honorary, will not require the least sacrifice of your time or attention."

So much for "solid banking!" It was possible, indeed, that the chancellor of the Exchequer might not accept the invitation, though he believed that right hon. gentleman had been one of the individuals to whom it had been addressed. These same Messrs. Wilks and Verbeke had, amongst other joint-stock concerns, been solicitors for an Eastern rail road, subscriptions also two pounds each. The wise men of the East, however, were not enamoured of the project, and consequently lost nothing by it. But, unless he was very much misinformed, there had been great men of the West—honourables, and right honourables—who had not been so fortunate. The first knowledge he had of these gentlemen, was, that one of them, Mr. Wilks, had done him the honour to write him a letter, in 1822, which he also held in his hand—proposing the institution of a joint-stock Sunday Society, with a committee, half of clergymen of the Established Church and half of Dissenters, for the persecution of apple women who prophaned the Sabbath; for "remedying the deficiency of the laws" on the subject; for "soliciting bills in parliament;" but, above all, for "inviting general attention by means of parochial subscriptions."

Mr. Gurney said, it was possible the Bank directors might have come down to the House prepared to admit such alterations in the bill in the committee, as might render it operative; which, in its present state, it certainly was not. The clause preventing any bill being drawn on London for a less sum than fifty pounds, was equally absurd and inconvenient; and a greater evil than inundating the country with notes not payable in London he could not conceive. He was well aware the Bank of England, on this point, stood stiff on its charter; but there never was so petty a jealousy in the world as this.—Mr. G. said, that all the bankers notes from his part of the country were made payable in London, and he would appeal to any Bank director in the House, if any portion of them were ever known to be circulated in London, or even out of their own districts. The fact was, if a country bank issued more paper than was necessary for the commercial circulation of its districts, and the paper was made payable in London, it found its way to the bankers in London in remittances, and was immediately returned on the issuers. If the Bank persisted in refusing to consent to a more practicable bill than this, the safer way for the House to pursue, would be, not to attempt legislating on the subject, but to suffer it to remain over until the expiration of the Bank charter, when their hands would be unshackled.

The House resolved itself into a committee. On the clause, which enacted the equal liability of all the partners,

Mr. *Pearse* addressed the committee, but in so low a tone as to be altogether inaudible.

The *Chancellor of the Exchequer* said, that he could not enter into any of the views of the hon. member, with respect to the probability of the country being deluged with paper, or to that of the new banks being managed with improvidence. He could not believe that the country would be placed in any such jeopardy, because it might be the pleasure of parliament to modify the existing Bank charter, or hereafter to decline continuing the privileges of the Bank, by putting the law on a more extended scale than that on which it now stood. It was not necessary to argue either of those questions; for the passing of the bill through its former stages sufficiently proved that the House was desirous that some facilities should be given to the formation of banks upon a more extended scale than that which the present state of the law allowed. He could not believe, that the only safe system of banking was identically that system which happened to exist in England at the present moment. Every person must see the utter incapability of the Bank to carry on all the banking concerns of the country. They had not the means to help the whole country, as they had done the county of Lancaster. The question, therefore, to be considered was, whether it was necessary to continue the law with respect to the number of partners? What peculiar magic there was in the number six, he could not conceive; nor could he possibly imagine, why that number should be held to be perfectly safe, and a greater number to be replete with danger. The hon. member for Newton had alluded to an extravagant project for establishing a bank with a capital of one million, to be subscribed in shares of two pounds each. That such a project had been entertained, and proposed to the public, was undoubtedly true; and he had himself received a circular letter, which invited him to become one of the honorary members. The proposal was, that if he would allow himself to be set down as an honorary member, he might, if he pleased, dispense with taking any shares, and he might have nothing to do with the concern. He must confess, that this latter part of the proposal was the only part which he approved of. It was completely applicable to his views, and he accordingly had had nothing to do with it. But surely, because there were persons wild enough to entertain most absurd and mischievous projects, it was not to be argued that such schemes should deter the legislature from endeavouring to give the wholesome and ordinary facilities of trade to the banking system. Absurd combinations were not impossible under any system. If the termination of the Bank charter and privileges had left the government the opportunity of doing as they thought fit, he certainly would not have proposed some of the limitations which clogged the present bill. The arrangement as to the limited amount for which parties were allowed to draw, was certainly a very great defect. But the government had been obliged to be content with what they could get. He should have been glad if the Bank had been prepared to waive their exclusive rights, to a greater extent than they had done; but that not being the case, he and his colleagues could only propose to parliament the utmost he could obtain from the Bank. He thought it right of the country to avail itself of the facilities as far as they went; for they were calculated to place the banking system upon a much better footing than that on which it had hitherto stood.

Mr. *Hudson Gurney* wished to direct the attention of the committee to the clause prohibiting co-partnerships "from borrowing, owing, or taking up any sum or sums upon their bills or notes within sixty-five miles from London, or at any place not exceeding the distance of sixty miles from London; and prohibiting such co-partnerships from having any house of business, or establishment as bankers in London, within the prescribed limits." He wished to ask the Attorney-general, whether these bankers, under this clause, could or could not discount and re-discount, bills through their agents in London?

The *Attorney General* said, that considering that the discounting of bills was a principal branch in the business of banking, and that the bill prohibited any company, consisting of more than six persons, from carrying on that business in London, or within the prescribed limits of sixty-five miles, it was his opinion that such co-partnerships were precluded the right of having an establishment in London for the purpose of discounting bills.

Mr. *Hudson Gurney* said, that that answer was final as to the bill. Any banker so circumstanced must necessarily stop payment. The Bank of England itself could not assist such establishment; and the bill must necessarily be given up altogether.

Mr. *Denman* said, that nothing could be less satisfactory than the shape in which this measure came before the House. It had been promised, in the beginning of the session, that it would be the result of the wisdom of parliament; but, after it had passed through the Lords, and had been discussed, of course, in the cabinet, it contained provisions which it was impossible to understand or agree to. He thought, therefore, that the shortest way of disposing of it, as well as the most satisfactory, would be to throw it out at once.

Mr. *Leycester* thought, that the greater the number of partners in banks, the less security there would be for the respectability of their character, or the solvency of their circumstances. He considered the present bill objectionable in every point of view.

Mr. *Monck* considered the bill, not as a benefit to the country, but as a positive nuisance. Under the present condition of the Bank restrictions it was impossible for the joint-stock companies to meet with success. It was not sufficient that a paper currency should be safe; it was essential that it should be issued in the most convenient manner to the public, and in every respect be made to represent all the qualities of a metallic currency. The mischief of the present bill was, that it destroyed all universality, and made the new notes to resemble the local tokens. It was impossible, under the present system, to assimilate the country notes to those of the London Bank. If they got out of their peculiar jurisdiction, the holders of them would be put to great inconvenience to get rid of them. The greatest inconvenience was now felt from these local notes. The poor who happened to hold one of them in a district in which it was not issued, were often put to the greatest inconvenience, and obliged to submit to a loss, in order to induce coachmen or travellers to convey it to where it was payable. He thought it would be much better to give up the present measure, until the expiration of the Bank charter.

Mr. *Spring Rice* was surprised to hear the hon. Bank director say, that private banks were preferable to the Bank of England. One great objection with him to the present measure was, that it gave a monopoly of local circulation to the Bank of England; as its branch banks would be established free from the difficulties which the joint-stock banks would have to contend with. He recommended that publicity should be given to the amount of local issues of paper.

Mr. *J. P. Grant* contended, that, although government had probably made the best bargain they could with the Bank of England, yet they had not done enough for the permanent advantage of the country. There could not be, in his opinion, any danger of over-issues, which were apprehended on the part of the country banks; because, as long as they were compelled to pay their notes in notes of the Bank of England, and those were payable in gold, there must be an effectual check upon too great an extension of credit in that way. In remarking upon the clause which prohibited the chartered banks from discounting bills or issuing notes in London, he begged to ask, whether it was intended that they should not have any agent or correspondent in the metropolis? If they were allowed an agent, he might, in the ordinary performance of his duties, violate the law in that respect, without any intention of offending against the provisions of the act; and he therefore thought it highly necessary that the clause should be so worded as to leave no doubt upon the subject. He also objected to the clause which prevented chartered Banks from issuing notes payable in London, under the sum of 50*l.*; and to the clause by which these chartered banks of six persons were at once to be put in possession, without any act of the legislature, of a power enjoyed by no other corporation or company in the kingdom, unless under the authority of an act of parliament—he meant the right to sue and be sued, in the name of their manager or director. That right, thus conferred, seemed to be a little invidious towards other companies, to whom the same power had been refused. The hon. gentleman concluded, by expressing his conviction, that the bill, with all its imperfections, would be highly beneficial to the country; and declared, that while the withdrawings of the exclusive privileges of the Bank of England could not be attended with any loss to that establishment itself, it would be the means of producing results the most important to the community.

The *Chancellor of the Exchequer* said, that a similar clause was inserted in the Irish Banking act, and it was only on the insertion of such a clause that the Bank of England consented to waive the privileges of its charter. He could not undertake to answer for the exact legal effect of the words of the clause; but if there was any obscurity in the words, or if there was any thing contained in them which would practically prevent the formation of these co-partnerships, such was not the intention either of the Bank or the government; and these words might be so altered as to remove the objection entertained against the clause. As to the attack which the learned gentleman had made upon the bill, it was directed against the measure generally, and not against this clause. If the learned gentleman had read the correspondence between the Bank and government he would have seen that the substance of this clause had been insisted upon by the Bank.

Mr. *Denman* said, there was not a

word about discounting bills in the correspondence.

Mr. *P. Grenfell* asked, whether the operation of this clause would be to prohibit any number of country bankers from applying capital which they had in the hands of their London agent in discounting bills.

The *Attorney General* said, that, as he understood, the principal business of a banker consisted in discounting bills, he certainly thought that the clause, as it now stood, went to prevent any number of bankers, exceeding six, from discounting bills in London.

Mr. *P. Grenfell* said, that that being the case, this clause must have the effect of preventing the formation of large joint-stock companies.

Sir *M. W. Ridley* wished to know whether this clause would have the effect of preventing a country firm of less than six from discounting bills in London.

The *Attorney General* said, he did not think that a firm consisting of less than six was prohibited by this clause; but he thought that one consisting of more than six, was prohibited.

Mr. *Home Drummond* said, it had long been the practice in Scotland, where the banking firms consisted of more than six partners, to draw bills upon London, and to have them discounted as often as it might be necessary. Whether this was legal or not he did not know, but he was sure it could not be done in future under this clause.

The *Chancellor of the Exchequer* said, it had never been the intention of government, or of the Bank, to prevent joint-stock companies from applying their capital in discounting bills in London. However, if the words were so obscure as not to give to those companies the privileges which, by this bill, were intended to be granted to them, there could not be, on his part, any objection to introduce, at a future stage, such words as would give legal efficiency to the concessions made by the Bank.

Mr. *Attwood* thought, that if the word "bills" were left out, and the prohibition limited to the promissory notes of the companies, there would be no objection.

Mr. *Pearse* said, that any alteration would require great care. In order to give time for properly considering it, he thought it would be better that the chairman should report progress.

The *Chancellor of the Exchequer* thought it would be better for the committee to proceed to the other clauses, on which no difference of opinion was likely to prevail—reserving the present clause for future consideration.

Mr. *Hume* said, he had never seen such a mass of absurdity as this bill presented. It was said to be an Irish act; and he could believe it from the number of absurdities it contained. He had been often charged with committing blunders in the House, and perhaps he might have done so; but if ever he could be justly accused of such absurdities as were contained in this bill, upon which the whole strength of the administration had been employed for a considerable period, he was content that the right hon. gentleman should set him down for a fool.

The *Attorney General* said, that unless gentlemen would take the trouble to read the clause, they could not understand it. The clause had been copied verbatim from an Irish act, which had been in force for some years.

The consideration of this clause was postponed.

HOUSE OF LORDS.

Monday, April 17.

ROMAN CATHOLIC EMANCIPATION.] The Marquis of *Lansdown*, in rising to present to their lordships the petition of the Catholics of Ireland, said, that, although the petition he was about to ask permission to lay on their table was one relating to a subject on which petitions had been presented on many former occasions, yet it was one which their lordships would feel, from its magnitude and importance, that he could not lay on their table, without wishing to say a few words, though he had no wish to involve in controversial discussion a subject which hereafter must be again brought under their lordships' notice. The petition had been placed in his hands in consequence of an event which he, in common with their lordships, must deeply deplore. He alluded to the loss of that distinguished individual, to whose hands it had generally been intrusted; whose whole political life, from its commencement to its close, had, from particular circumstances, been closely connected with this subject; and who continued, to the last, its able, uncompromising, and disinterested advocate. Their lordships would feel that, though the ground had closed over him, as it had closed over many other distinguished public characters, who had taken a deep and unceasing interest in this subject, without seeing their efforts rewarded by success—transmitting to other less able men the task of extending to all the benefits of civil and religious liberty;—although the grave had closed over many of those who had petitioned, as well as over the public men who had supported their claims, and advocated their cause; yet their lordships could not but feel, that as long as the consequence of a difference of religious opinions was to deprive a large portion of the people of this country of their just rights; as long as the people of this country continued to cherish their peculiar affection for freedom; and as long as there was a desire among this large portion of the population to enjoy those blessings, excluding them from which might unite them, but could not lessen their numbers; as long as the people felt—and God forbid they should cease to feel—a desire, when labouring under this principle of exclusion, to share all the advantages of the constitution; as long as they should know that they were the only Catholic subjects of a Protestant sovereign, who were exposed to such excluding laws; as long as the exclusion existed, it could not be expected, and it was not possible their lordships should expect, that this subject should not be again and again brought before them by petitions, claiming to have those exclusions removed, which could not be defended upon any principle of policy or justice. Having said thus much, he did not think it expedient to do more than to move that the petition be laid on the table; but he still felt it to be a duty he owed to the petitioners to observe, that, indulgent as he knew the House, and even those of their lordships who were hostile to the claims of the Catholics, would always be to any language which might be employed by persons in pursuit of rights of which they conceived themselves to be unjustly deprived, and which their lordships would admit proceeded from no improper or dishonourable motive; yet he was happy to say, that in perusing this petition he had found nothing in it which would require the kind of indulgence to which he had alluded—nothing which was unworthy of the petitioners, and nothing which could call for the animadversion of their lordships. He was also happy to have the opportunity of stating, that the petitioners had, with great propriety, abstained from any thing like polemical discussion. They had introduced into their petition none of those theological questions which, however proper in the pulpit, or in learned dissertations from the press, he never wished to see agitated within the walls of that House. They had, with great propriety, confined themselves to answering the allegation, that they were unfit to enjoy the same privileges as the other subjects of his majesty. He meant, the allegation that they could not give an undivided allegiance. This incapacity they solemnly disclaimed. To the pledge thus given, he trusted their lordships would pay that attention which it deserved at their hands. He would not trespass further on their lordships' time than to say, that he concurred in the sentiments expressed by the petitioners, and to express his hope that a period would soon arrive when those sentiments would be more generally adopted by that House. The question was one, the consideration of which could not be avoided; for he was sure it would force itself again and again on that House, until justice was done to the claims of the petitioners.—The petition was read and laid on the table.—The noble marquis then rose, and presented another petition from a great number of the principal Protestants of Ireland in favour of the Catholic claims. Among the names attached to it were those of the duke of Leinster, the marquis of Downshire, the earl of Portarlington, and many other noblemen and great landed proprietors. Their lordships in receiving this petition would hear from those distinguished persons, in their own words, how deeply they considered themselves and their property to be affected by the existence of those laws which excluded their Catholic fellow-subjects from the participation of the privileges which they themselves enjoyed.

Earl *Grey* said, he had to call their lordships' attention to a petition from the same body as that with which the first petition presented by his noble friend originated, and which could not have been intrusted to the care of a more zealous and able advocate. His noble friend had that day shown that his zeal for the cause which he espoused was tempered by the soundest discretion, in refraining from doing any thing more than to make the usual motion for laying the petition on the table. It was his intention to follow the same course as that which had been adopted by his noble friend—namely, to require of their lordships nothing more than to permit this petition to be laid on their table. But, in doing this, he also wished, in common with his noble friend, to express his opinion, that civil disqualification on religious grounds, if not founded on a paramount public necessity, could not be maintained on any principle of policy or justice; and that upon the accomplishment of the object of the petitioners, the peace and prosperity of Ireland, and therewith the security and power of the British empire, depended. But, concurring as he did with his noble friend, that it would at present be inexpedient to trouble their lordships by calling their immediate attention to these topics, he must state with his noble friend, that this question was of such a nature, and so vitally connected with the interests of the nation, that it must force itself again and again on their consideration. He therefore looked forward with an anxious hope to a time, and that not distant, when, under his auspices, this question would be taken up and pursued to a successful issue. Having said thus much, it was now his duty to advert to the particular object of the petition which he had the honour to present to their lordships. The petitioners expressed their deep sense of the injury they suffered from the disqualifications under which they laboured on account of their religious opinions. They stated, that they had endeavoured at various times, and through various channels, to remove the unfavourable and unjust impressions which existed against them. With this view they had associated and formed that body which was called the Catholic Association—an association formed on sound and constitutional principles, and in the institution of which they were warranted by the precedents and practice of the best times of British history. They complained, that, against this association, a bill was introduced. The allegations of that bill they offered to refute, and prayed to be heard at the bar for that purpose; but this prayer was refused. They therefore complain, that, without examination or inquiry, that bill was passed into a law. By that law the petitioners felt themselves deeply aggrieved; and they had stated in strong terms, but not in such terms as would render it unfit for him to present the petition to the House, their sense of the injury they had sustained. They concluded their petition by praying their lordships to repeal the law. After this statement, it only remained for him to fulfil his duty by moving, that the petition be laid on the table. Before he made that motion, however, he would, in order to save time, beg leave to present another petition, which was from the Catholic inhabitants of the parish of St. Audeon, in Dublin. The object of this petition was Catholic emancipation; and on that general subject it was not necessary for him to make any further observation. But the petitioners requested their lordships' attention to a particular point—to those proposed measures which were known by the name of "wings," but which he concurred with the petitioners, did not assist the cause in its upward flight; for, instead of enabling it to soar, they clogged and impeded it. To these measures he had strong objections; particularly to that which went to disfranchise a large body of electors upon the allegation of abuse—to deprive freeholders of the right to elect representatives—a right which they held under the same sanction of British law by which all other rights and property were protected. He was not at all surprised that those persons who had always opposed Catholic emancipation should take up this particular clause of disfranchisement for the purpose of defeating that measure, to the principle of which they objected. He agreed with the sentiments expressed in the petition, on this point as well as on its general object. There was no question, the consideration of which was so essential to the peace and security of the empire as that of the continuance of those laws, as unjust as they were unwise, which excluded Roman Catholics from the privileges enjoyed by other British subjects.

Ordered to lie on the table.

SLAVERY IN THE WEST-INDIA COLONIES.] Lord *Suffield*, after expressing his sense of disadvantage in following the two noble lords who had just sat down, and who had rendered an interesting subject near home doubly interesting by their powers of eloquence, said, he felt it was now his duty to direct their lordships' attention to grievances, not, perhaps, of a less interesting nature, in a more remote region. Since he had first declared his hope that the motion which he was about to submit would meet with their lordships' unanimous approbation, nothing had occurred to diminish his confidence. It was an abstract proposition, unconnected with any matter upon which difference of opinion was known to prevail; emancipation itself would neither be protracted nor accelerated by the result of his motion; and, although a difference of opinion might exist upon the fittest time for carrying that measure into effect, he was happy to say he believed no man in the country, certainly no one in that House—no, not even the noble lord who was the most able and ready advocate for slavery, or rather the most ready and able apologist of the West-Indian system, was prepared to deny that slavery ought to cease throughout the British dominions. —Here lord Suffield took occasion to repel the accusation against the abolitionists of a desire for precipitancy. He was personally acquainted with many of those best known to the public as advocates for emancipation: he had attended many of their private conferences, and it was remarkable that he had, in no one instance, heard a wish expressed for sudden or convulsive emancipation, nor had he heard one scheme devised for its attainment, by any means that were not cautious and gradual. Next, as he had complained of one accusation, and as very recent allusion had been made to the matter of compensation to the colonies in the event of emancipation, he could not forbear expressing his own sentiments on that subject. The abolitionists had been accused of disinclination to compensate slave-owners for their losses: he denied that charge, on his own behalf and on the behalf of the country, if a clear case of damnification could be made out. But the call for compensation seemed to him to come from the wrong quarter: the mother country had, it was calculated, during a period of thirty years, added 150 millions to her debt in support of the colonies; 50,000 British subjects had, during the same space of time, been sacrificed to the climate, and three millions of money were now annually paid to continue the system of slavery! Surely the mother country should be indemnified for this vast exhaustion of blood and treasure; but it appears in the mean time, that the colonists have become impoverished and not enriched—they have found it unprofitable; they do find it so, and ever will find it unprofitable, as it seems by the ordination of Providence. Then he was quite sure that the people of England would rather pay six millions annually for the discontinuance, than three millions for the continuance, of slavery. Thus compensation, however unreasonable in principle, would readily be granted. One point more on the general subject, and he would proceed with his motion. Some indignation in that House had been exhibited at the assertion that slavery was incompatible with Christianity, and this assertion was fathered on the abolitionists; now, although conscientiously thinking as he did, that the principles of the Christian religion were adverse to slavery, the assertion alluded to, he believed, might be traced to a different source from that contemplated, perhaps, by the noble earl opposite; namely, to the West Indians themselves, not to the abolitionists. In 1808, the Royal Gazette promulgated this doctrine:—"He that chooses to make slaves Christians, let him give them their liberty. What will be the consequence when to that class of men is given the title of beloved brethren, which actually is done. Assembling negroes in places of worship gives a momentary feeling of independance both of thinking and acting, and by frequent meetings of this kind a spirit of remark is generated; neither of which are sensations at all proper to be excited in the minds of slaves." Again, in 1823, says the government paper, "To address a promiscuous audience of black or colonial people, bond and free, by the endearing appellation of my brethren and sisters, is what can no where be heard except in Providence chapel." Such are the sentiments of the colonists, as given in their own newspapers, if correctly quoted in the House of Commons in the course of a debate on the trial and condemnation of the missionary Smith.

He begged pardon for this digression; but, as he had not before addressed the House on this subject, he could not resist the opportunity of expressing his own sentiments on the two or three points now adverted to, and of disclaiming for himself and his friends, first, the alleged desire for precipitancy; secondly, the denial of compensation if shewn to be just or requisite; thirdly, the originality of the notion that slavery and christianity are incompatible. —Now, said the noble lord, to the subject of my motion without further digression or preface:—He did not strive on the present occasion to convey to the slaves civil rights; his object was, to prevent criminal wrongs, in the words of Mr. Dewarris, who expressed the same ideas so exactly, that he should beg to read an extract to the House from his report now upon the table. "Lastly," says Mr. Commissioner Dewarris, "to all arguments drawn from the evils of the system and strangely applied in favour of its continuance, because slavery is a great or a necessary, it ought not therefore to be an unmitigated evil; it ought, as it appears to me to be softened, precisely because it is contended it cannot with safety and justice be destroyed." The attempt to convey civil rights to slaves would be absurd; the attempt entirely to secure persons in a state of slavery from criminal wrongs would perhaps be impracticable; but it will be something if we oppose some check to that mockery of justice—that pretence for legal oppression and violence, of which this fallen race have at present to complain.

All who have ever written or spoke in public on the subject of slavery, all who have directed their thoughts to it, lord S. said, he believed, agreed in the opinion that the evils of the system were by no means confined to the individuals who were slaves: those degraded and unfortunate beings only shared the bad effects of slavery with their masters, and with all who were in any degree connected with the system. Its baneful influence extended itself over all classes of society within its sphere; and he was confident that he could shew, from papers on the table, that no persons resident in the slave colonies, and connected with the administration of the laws, were exempt from the contagion. He would begin with the colonial legislature—their blind and ill-advised resistance to the wishes and recommendation of his majesty's ministers; secondly, he would prove the apathy of the colonists relative to recorded cases of cruelty; thirdly, he would shew something very like misrepresentation, at all events gross inconsistency, on the part of a commissioner appointed to inquire into and report upon the civil and criminal jurisdiction of the West Indies. The more unintentional the misrepresentation the better for his argument. If he could shew impolitic conduct on the part of the legislature; apathy, injustice, and partiality on the part of those who had to administer the laws; and unintentional misrepresentation on the part of the commissioners, all these persons being men of undisputed integrity and honour, his case was made out beyond a question. What better proof could be afforded that persons being owners of slaves are not fit for the high offices which they hold? But if still a doubt could exist, he would lastly quote the opinion of some of the colonists themselves, high in authority, who had favoured us with their sentiments on the subject, in direct concurrence with the object which was to be accomplished by the motion which he had that day to offer to their lordships.—The first reference he would make to the papers in their lordships' hands was relative to the blind resistance made by the colonial legislatures to the recommendations of his majesty's government. The party known to the country by the name of abolitionists, the country itself, and the ministers, all united in desiring an improvement in the condition of the slaves to be the work of the colonists themselves. No one here wanted to have the credit of accomplishing such improvement. All wished the slaves to feel indebted to their masters for any benefits they might receive. Accordingly, a recommendation is made of certain measures for the adoption of the colonists. Now let us see what has been the consequence. He would read an extract from a despatch, signed by the noble earl opposite (lord Bathurst), respecting Jamaica. He selected the observation on Jamaica especially; first, because it appeared on the very face of the correspondence printed and on the table; secondly, because Jamaica was a principal colony; and lastly, because Jamaica had ready and able defenders in that House upon all occasions when it was, and often when it was not, attacked.

Lord Bathurst says, "Jamaica has always been considered as the colony which was most likely to take the lead in every measure which was calculated to improve the state of society in the West-India colonies, and it is a great mortification to those who looked with confidence to the support of that legislature that there is not any one West-India colony that has not done more than Jamaica, or has not made the example of Jamaica their apology for doing so little."—And now let us see what the duke of Manchester thinks of the house of assembly—resident as he has been for some time in the island, and competent therefore, it is to be presumed, to form a pretty correct notion of the sentiments of its inhabitants. "I am afraid," says the duke of Manchester in one of his despatches, "after so many repeated trials, that there is no hope of persuading the present house of assembly to do any thing effectual for the relief of the slave.—I have exhausted all the means in my power to lead them to a proper way of thinking." Can any thing more clearly shew the prejudice which prevails against all improvement?

But he would now proceed to examine a summary which he had made with great care, of all that each of the colonies had done in compliance with the wishes of our government at home. It appears that Sunday labour is prohibited by only one of the West-India legislatures; namely Dominica. That evidence of slaves is really admitted in two only—Grenada and Tobago. There being exceptions to the admission provided in St. Vincent's and Dominica which nullify it; even in Grenada and Tobago the admission is under such qualifications as to render it almost valueless. That the legalization of marriages has taken place in only two—the Bahamas and St. Vincent's. That right of slaves to property is enacted in four only—not admitting Jamaica to be one of the four, although it is there professed—legacies being irrecoverable by suit.—It is enacted in Grenada, Tobago, St. Vincent's, and Dominica. The power to purchase manumission—enacted no where. Non-separation of families enacted in two only—the Bahamas and Grenada. Abolition of driving whip—enacted no where except as used by slaves.—Of flogging females no where except as to the publicity of the flogging.

Having now, said lord S. afforded your lordships a fair specimen of the disposition of the colonies to comply with the recommendations of this government, I will proceed to examine the report of the fiscal of Demerara. The record of complaints includes only the short period of three months. It appears that cognizance was taken of twenty-five complaints in that time—seventeen of slaves against their masters, six of masters against their slaves, two of slaves against each other.—Of the seventeen slaves complaining against their masters, twelve were punished for complaining, two were restored to their masters, liable of course to similar punishment, and sure to receive it for the same reason—and two of the complaints were redressed, one by the dismissal of the manager, and one by fine, which appears not to have been paid—the remaining complaint seems to have been simply disallowed.—Now it happens that of the six complaints of masters against slaves not one remains unredressed—four by flogging and two by imprisonment. The two other complaints, making up the number twenty-five, are of slaves against each other.

Having no account of the nature of some of the charges, or the grounds upon which the decisions have taken place, little more can be gathered from this document than inference from the contrast between the redress afforded to slaves complaining against their masters, and the redress afforded masters of complaints against their slaves; but surely, my lords, the partiality of the fiscal is here made sufficiently apparent. Lord S. then proceeded in reference to the record from the fiscal of Berbice, which he prefaced by observing, I now come to the shocking papers of Berbice; and, whoever desires to be made acquainted with the condition of slaves in the West Indies, would do well to examine this record with care—here may be seen a picture of slavery, not perhaps in its worst form, because it is notorious that, where slaves are worst treated, in the greater ratio does population diminish, whereas in this colony no such diminution takes place; then again, it is to be remembered, that the record regards only 23,000 persons out of a West-Indian-slave population of 800,000; and lastly, it relates only to the short period of about four years. The first case his lordship would cite, would be found in page 39 of the Berbice Report. Four women complain that they are not allowed time to suckle their children. Two of them were flogged for the enormous crime of suckling their offspring, and their statement was corroborated by the fact recorded by the fiscal that their coats were stained with blood.

The second case, page 39, is that of a woman who was flogged because she was unsaleable. She was sent out by her master to find a purchaser, and because a customer could not be found, on her return home she was flogged. The third and fourth cases, page 56 and 57, are of women reported to have been flogged, and to have miscarried in consequence, being pregnant at the time of the flogging. One of these cases especially having been already noticed in public, and remarked upon as being attended with peculiar circumstances of atrocity, has excited a strong sensation in the West Indies, and has been adverted to and argued; and, so far as it could be, combated by those who had the means of ascertaining the facts. It therefore deserves your lordships' particular attention. It is proved in all its ferocity of perpetration by seven witnesses, the only part of the statement made on behalf of the unhappy female disputed is, a part of the consequences ensuing from the punishment—not the miscarriage, that remains uncontradicted, but the effect of the flogging upon the unborn child, and this is disputed on medical authority. What then remains an undeniable fact,—that a woman, big with child, was ordered to do work that she was unable to execute—the driver was ordered to flog her for laziness—he, a man pretty much habituated, it may be supposed, to severity,—even he remonstrated, saying, "she is rather big with child"—the word "rather" was omitted, my lords, in a former representation of this case, and the omission was made the ground of solemn complaint. He (lord S.) trusted therefore it would now be remembered that the driver said the woman was "rather" big with child. What was the reply?—"Flog her till the blood flies out!" She was ordered the next day to work; she complained of being ill, and the day following she miscarried! Now then, how stands the case? Admitting the consequences so far as regarded the unborn child to be misrepresented, and admitting the very important qualification as to the degree of pregnancy, the case, my lords, shrinks into a mere act of ferocious brutal outrage and infanticide!

The fifth case, page 86, is of another woman who miscarried in consequence of ill usage, and she complains also of the harsh treatment of her child, who exhibits marks of flogging. The sixth case, page 63, is that of Brutus, who is flogged because he would not consent to the violation of his daughter! A rape, however, is committed, and proved against the manager by a host of witnesses, who declare that they were posted as watchmen at the door while the crime was perpetrated; and, would your lordships believe it—the omission of this proof, the horrible fact that persons were posted as watchmen, is impudently charged upon those who made allusion to this case also on a former occasion in public, as a culpable suppression of evidence which would have overturned the case! Upon this, and upon all the cases hitherto cited, no decision of the fiscal is recorded; but, as an introduction to a few of those cases upon which there has been a decision, his lordship said he would next advert to one connected with the last mentioned in some degree, which it seemed the fiscal had expressed an opinion upon. It would be found in page 137. It was the case of a negro, Michael, who had been punished on suspicion of a robbery. Goods very similar to those stolen were afterwards found on the person of another individual; Michael protests his innocence, and complains to the manager of his unjust flogging—the manager tells him to hold his tongue, or he shall be put in the stocks; he then complains to the master (and, be it observed, this is the same master who owned Brutus, the same plantation, and, for aught we know to the contrary, the same profligate manager) the master says the unjust flogging was not his fault, it was the manager's; he finally complains to the fiscal for redress, and here of course obtains it; then what is the redress? The manager is reprimanded for punishing a slave on such slight suspicion, and Michael gets no redress, because his innocence is not proved. In England happily it is necessary to prove guilt—innocence is presumed; but in the West Indies the rules of justice seemed to be reversed. It is to be lamented that we have no information relative to the decisions of the fiscal in any of the cases cited, except the last; but luckily we find some other cases on which decision has been recorded, and from the nature of them we may form some conjecture of the weight of punishment inflicted upon the monsters whose crimes have been represented in the papers before us: first, here is a case (page 124) a complaint of fifteen slaves against their master, who has treated them with the greatest cruelty—forced them to work on Sundays, and robbed them of their ducks, fowls, &c. all this is proved before the fiscal—and what is his decision? awful instance of retributive justice. The master is absolutely required to make restitution of the stolen property, or its value; and, as a terrific example to all other masters of slaves, he is threatened that, upon a repetition of his offence, he shall be criminally prosecuted. The second decided case is in page 92. Mark, a negro, is proved to have been illegally flogged. What is the consequence? The manager is reproved for three successive floggings! The third case decided upon is in page 131. Felix complains of the debauched conduct of the manager generally, and especially with respect to his own wife. The case is inquired into by the fiscal, and it appeared that Felix had not completed his task when he came to complain. The case is proved against the manager, who, the fiscal remarks, had evidently taken improper liberties with the woman on the estate—and what is the consequence? Your lordships, I am sure, could not believe it if it were not on record in this official document. Felix, my lords—Felix, not the adulterous manager, but Felix, the complainant, is ordered to be flogged, and the manager is reprimanded! The fourth case was one in page 100. Lambert, a sick negro, could obtain no medicine, was forced to work night and day, complains: nothing appears in contradiction of his testimony, and he his flogged—why, we do not know; but here is the decision. Again, page 93, fifth case. Michael, an old man, complains of over work, and it is decided that he shall receive 75 lashes. Sixth and lastly, page 137. Ness is ordered to work on Sundays. He does not insolently refuse, but complains to the constituted authority. He is, for so doing, punished by the fiscal, not because his tale is untrue, for it appears that, although Ness is flogged, the manager is warned by the fiscal of the illegality of working slaves on a Sunday.

From these six decided cases we may draw something like a reasonable inference of the mode in which those other cases were decided, of which we have no information as to the result. In England, when men of education and of superior rank in life are proved to have violated the law, they usually hear from the judge who tries them, that they deserve, from having superior knowledge of their duty, the more signal punishment; and it is notorious that they generally received it: but in the West Indies, as it has been before observed, the rules of justice and equity are directly reversed.—His lordship then proceeded to point out the inconsistencies, amounting, as he thought, to misrepresentation on the part of Mr. Commissioner Dewarris, employed by his majesty's ministers to inquire into and report upon the civil and criminal jurisdiction in the West Indies. In pages 14 and 15, said his lordship, the commissioner tells us, that cruel masters were certainly heard of sometimes; he believes he heard of three such instances in twelve islands! He says, "the poor slave left to himself is generally contented and happy"—"A little more time and a little less work form the narrow boundary of his wants and wishes"—"He is in the enjoyment of domestic comfort, capable of acquiring comparative wealth, and wearing an air of independence, quite inexplicable to those who have never had an opportunity of observing how manners and opinion can control laws." He then speaks of the paucity of crimes and the absence of want. Now really, lord S. observed, I did not expect to find in page 62, of the same report, that "in this island," speaking of Barbadoes, "slaves are without legal protection or redress for personal injuries." Murder is a capital crime, but "there is no other legislative provision to restrain the absolute power of the master over the slave, or of inflicting punishment upon the owners or others, in case of mutilation, dismemberment, or cruel treatment."—Here, said lord S., is a condition in which men may be happy and contented. Mr Dewarris adds, "A slave who is or thinks himself aggrieved, looks in vain in this island for a proper quarter in which to prefer his complaint.—He can no where be received!" The commissioner surely could not mean the slaves were contented and happy in Barbadoes! Did he mean in Grenada? he particularly speaks in page 16 of the high reputation of Grenada for the humanity of her laws; then in page 66 he tells us that slave evidence cannot be received, and, in defect of it, a sheepstealer avoided prosecution; and, to prove the humanity of the Grenada laws more particularly, he tells us, in page 95, that harbourers of felons are to suffer death; in page 96, that any slaves personally insulting so as in any measure contemptuously treating any white or free person, shall be punished for every such offence at the discretion of any one justice of the peace, not to extend to life or limb. Then the happy condition of the slave could hardly have been contemplated in Grenada, and the humanity of her laws is not distinctly made out to us by the instances now mentioned. But where is the happy and independent looking slave? is he in St. Vincent's? there the commissioner tells us in page 66, "that there was a very affecting case, in which the dying declaration of a black woman, a slave murdered under very peculiar circumstances, was, in consequence of the exclusion of slave evidence, rejected, and an acquittal rendered necessary." "A little more time and a little less work form the narrow boundary of the slaves' wants and wishes," and "he wears an air of independence quite inexplicable to those who have never had an opportunity of observing how manners and opinion can control laws."

Now, my lords, said lord S., although we occasionally have such opportunities in this country, this statement of Mr. Dewarris, if correct, would still appear, I think, to most of us a little inexplicable, as he says; but if inexplicable in Barbadoes, which he could not mean us to contemplate, where does he represent the happiness and flourishing condition of the slave; if he did not mean Grenada, nor St. Vincent's, did he mean to refer us to Tobago?—here perhaps we who do know how manners and opinion can control laws, shall find the case quite satisfactorily explained; in page 89 Mr. Dewarris gives us the evidence of the provost marshal, I think, who states, "a manager to Windward sent all the overseers, all white and free persons, out of the way—he then gave a negro 150 lashes." The negro was brought, in a state of which he might have died (how very cautiously worded is this by the worthy provost marshal), "in a state of which he might have died, to us the sitting magistrates. We had no means of proving it—and upon this, proposed a bill, either to admit slave evidence, or to make the accused purge himself on oath. The bill was not approved. —It is a very common thing, adds the justice of peace, when they wish to be cruel, to send all the free people out of the way—I have known many such cases." Still, be it remembered, the commissioner of inquiry tells us, although he heard this testimony, and furnishes us with it, that he only heard of three cases of cruelty in twelve islands. Really this is quite inexplicable. Then, as to paucity of crimes spoken of in page 16, we have to oppose the testimony of the senior justice of peace in Tobago, that he has had 2,500 complaints before him, breaches of the peace and misdemeanours, in something more than a twelvemonth! I will, said lord S., trouble your lordships with no more of these glaring inconsistencies. I am confident that Mr. Dewarris did not mean to mislead or to deceive; and, if he did not, how much must slave-ownership have obscured his faculties! I think, my lords, I have conclusively now made out the blind and ill-advised resistance of the colonial legislatures, the apathy and the partiality of those who administer the laws; and, lastly, the inconsistency of the commissioner of inquiry. I have now only to refer, for confirmation of my own opinion, to that expressed by some persons high in authority in the colonies, and quoted in Mr. Dewarris's report. It does not distinctly appear in page 17, whether an attorney-general, or Mr. Dewarris himself, speaks of the Guardian Act, when he says "the magistrates in the one case, and the guardians in the other, are themselves owners of estates and slaves, who would resist the intrusion of a stranger upon their own grounds, and therefore will not set an example of interference with the property of others," page 18. The fault, in these cases, it appears to me, is not in the law or the lawgiver, still less is there any mala fides, any deliberate fraud and designed evasion. What is wanting, I conceive, is a due administration—which can only be by indifferent persons; and this conclusion I apprehend will be fully established, and the principles upon which it depends developed clearly, as the report proceeds. In page 98, his excellency the governor of Grenada observes, "there are no persons to be found to fill the situation of guardian, such as must have been contemplated by the act, who are, as they ought to be, independent. They are chiefly overseers and managers. Can they be expected to say that the clothing or food furnished by their employers is insufficient; or, if they do, may they not be afraid of the charge being retaliated on estates under their management?"

After the citation of these opinions, I feel, said lord S. that it would be an unwarrantable waste of your lordships' time if I were to add another argument in support of the motion which I am about to submit. It is not in our power to do much for the unhappy people whose cause I advocate, but I trust I shall have your lordships' aid in doing the little that we can. Before I sit down, however, I cannot forbear remarking, how sensible I am of the consequences entailed on every one who steps forward to ameliorate in any, even the smallest, degree, the condition of the unfortunate slave. In the front rank of these consequences I foresee the sarcastic complaints of the noble lord opposite to me (lord Dudley), but by him I am sure nothing will be offered which it would be unbecoming in a gentleman to offer, or in a gentleman patiently to receive. From another quarter I am aware that the grossest abuse is to be expected; but, my lords, so long as I draw breath, I will do the best in my power to excite that public feeling through the means of which extinction of slavery is to be accomplished. I wish not to excite clamour, but resolution of purpose. To those whose efforts to suppress feeling on this subject are notorious, I shall make no further allusion than to say, in contemplating the consequences of my efforts this day, they are the last and least in my consideration. I now move, "That an address be presented to his majesty, praying that in future he will be pleased to appoint to the officers of governor, chief justice, attorney-general, fiscal, guardian, and religious instructor, in the West Indies, only such persons as are not owners of, and have no reversionary or other interest in, slaves."

Earl *Bathurst* said, that the noble lord who had proposed this address, had accurately described the difficulty which government had met with in endeavouring to carry into effect the wishes of parliament. He was of opinion, that the amelioration in the condition of the slaves should be effected rather by the act of the colonial legislature, than by the interference of this government; but he did not see how that could bear on the present question; at least, how it could bear favourably to the noble lord, since surely he would not endeavour to exclude slave-owners from the colonial legislature. The noble lord had mentioned the several cases which had been decided in favour of the masters instead of the slaves. Surely the noble lord should have made some allowance on account of the difficulties of the situation of the fiscal. In the colony of Demerara, the fiscal had encountered the greatest difficulties, on account of the opinions of the slaves; and before he could make any impression on them, he was compelled to undeceive them as to what was intended by this country; for they actually imagined that the parliament had resolved to set them free. It appeared from the noble lord's statement, that the commissioners employed by government were possessed of some property in slaves. Now, all that he could say was, that when he concurred in the appointment of that gentleman, he was not aware of the circumstance, or he certainly should not have thought a slave-owner the most proper person to appoint to such an office. He owned he was rather surprised at the charge of inconsistency made against that gentleman; who, though he had admitted that the laws were severe, had considered, that as many of those laws were obsolete, the slaves could better trust to the good habits of their masters, knowing that from those habits they would receive a better protection than the laws would afford. As for the instances of cruelty, he might appeal to any noble lord, whether in former times cruelties, just as horrible, had not been committed in this country by masters against their apprentices? He admitted the excellence of the principle urged by the noble lord in his motion; but he doubted the possibility of carrying it into execution, at least with respect to more than one or two of the chief officers of the Colonial government. The other officers would not find a sufficient equivalent in the emoluments of their offices, to undertake them without being possessed of any interest in the colony. He should be sorry to oppose the resolution, because he agreed with it in principle; but, as he feared it would be impossible to carry it into execution, he should move the order of the day.

Lord *Suffield* was astonished that the noble earl should admit the principles on which he proposed to act, and yet decline to carry any portion of them into execution.

Lord *Ellenborough* said, he would have been better pleased if the noble earl had given a direct negative to this motion. He thought there was no reason whatever for passing this resolution; but that, on the contrary, it would be productive of the most mischievous effects. He was convinced that, if any thing was done, it must be by the silent operation of the expressed opinion of this government, and by the example which they set in the treatment of the slaves in the colonies more immediately under their control. He thought this resolution would destroy the operation of that opinion. As to our legislating for the colonies, of this he was convinced, that ministers dare not submit such a proposition—that parliament would not adopt it; and if it did adopt it, that the people would not second it—nor could it, if it were carried, be executed without danger to the colonies, and without incurring the risk of sacrificing the slaves themselves. He thought that in this matter there could be nothing better than the example of good treatment to the slaves by those immediately under the control of the government. He regretted much that, in the treatment of this question, the word emancipation had been made such frequent use of. Certain he was, that it should never have been used at all. The consequence was, that the amelioration of the condition of the slaves was thereby rendered a matter of far greater difficulty. Let their general condition be first improved, let them be rendered capable of appreciating the blessings of freedom, and let them then be emancipated. With these views of the question, he repeated his regret, that the motion had not been met by a decided negative.

Lord *Calthorpe* supported the motion. While public functionaries in the colonies were, he said, permitted to be the owners of slaves, or to have a reversionary interest in that species of property, it must necessarily produce a conflict of duties, and operate injuriously to the slave population.

Viscount *Dudley and Ward* deprecated the sort of imputation which had been thrown out against himself, of having on former occasions expressed himself with some degree of satirical warmth of those who were most earnest in their applications for the immediate abolition of negro slavery. He begged to assure the noble mover, that no man was more disinclined than himself to indulge in the language of sarcasm upon any measures submitted for the consideration of their lordships. On the present occasion, however, he must be allowed to declare that he could not, by any means, concur in the inferences which the noble lord opposite appeared disposed to draw from the long string of cases which had been quoted by him. Many of those cases were already well known, and had been much discussed and commented upon; especially in a very able pamphlet, which had been recently put forth by a society, of which the noble lord was himself a member. Still he felt himself much obliged to the noble lord for the moderation displayed in his speech; seeing that he had not gone quite so far as some others; for, while it was suggested, in the publication which he had just adverted to, that the planters and proprietors of slaves in our West-India islands should not be eligible to the magistracy, and other offices in the colonies, another writer had gone the length of proposing, that the legislature should declare those who were guilty of the crime of possessing plantations in the West Indies, cultivated by slave labour, incapable of sitting in parliament. While he confessed himself obliged by the noble lord's omitting to put to the House any proposition, of so unreasonable an extent, he was not at all convinced that that noble lord had made out a case for the motion he had submitted to their lordships. He therefore felt himself compelled to give his vote against it.

Lord *St. Vincent*, as being better acquainted with the present condition of affairs in Jamaica than in any other of the islands, thought the present a favourable opportunity for saying a few words on the subject of the payment of ecclesiastical functionaries in that island. He had great pleasure in stating, that from the moment of the arrival of the bishop of Jamaica on his diocese, there was a general manifestation, among all ranks of the community, of a solicitude to put the whole of the clerical appointments upon the best and most liberal footing. The salaries of the rectors were voluntarily raised, and the stipends of the curates increased in proportion; while the vestries of the parishes were relieved from some obligations relative to certificates, which had formerly been found of much inconvenience. In short, every thing had been done which was best calculated to further the important objects of the bishop's appointment. The noble mover seemed to labour under some misapprehension with respect to an act, which he understood the noble lord to speak of, as having been passed; namely, a compulsory measure upon the owners of West-Indian estates to enfranchise any of their slaves who might offer their estimated value as the price of their enfranchisement. He was not aware of the existence of any such act; but this he knew, that, so far as he was interested in slave property, he should always be very happy, under such circumstances, to give the slave his enfranchisement, the very next moment after he had presented himself to ask for it. But, in the mean time, he thought it would be exceeding impolitic to pass any compulsory enactments upon this subject; because, the first suggestions of compulsion must put an end to all voluntary acts of this nature on the part of those with whom it lay to perform them. For these reasons he should give his vote against the motion of the noble lord.

The motion was then withdrawn.

HOUSE OF COMMONS.

Monday, April 17.

London Corn Exchange Bill.] On bringing up the report of this bill,

Sir *T. Baring* said, he felt it to be his duty to enter his protest against this unwarrantable and uncalled-for measure. Its chief effect would be, to increase the number of retail dealers in corn, to the evident injury of those who had already embarked in that trade. That, however, was not the principal ground on which he founded his opposition. His great objection to the bill was, that it would interfere with the private rights of individuals—with the rights of those who were the possessors of the present Corn Exchange—without adequately remunerating them. The individuals who had formed this project might build a corn exchange where they pleased, but they had no right to throw down buildings which belonged to the occupiers of the existing Exchange. Who were the parties with whom this plan originated? They were, in fact, a joint-stock association, and they set this scheme on foot, as likely to be a speculation of a profitable nature. They asserted that a new exchange was greatly wanted. Now, he was disposed to doubt the correctness of that statement, as he believed the sale of corn had not increased within the last twenty or thirty years. He should therefore move "That the report be received this day six months."

Mr. *Hume* seconded the motion. The present measure was, he said, one of those instances of interference with private property that ought to be resisted by the House. He had not attended the committee, but having seen their proceedings since they had closed their labours, he was sure, from what had transpired in the course of the inquiry, that the House would not tolerate this invasion of private property. The bill went to take from the present proprietors their property in the Corn Exchange, without any guarantee that another would be built. This was granting to the projectors a right which no persons ought to possess. If the present Corn Exchange was not large enough, he had no objection to allow a new one to be built by any body of individuals; but as no complaint had been made of the old Corn Exchange, he wished that to be suffered to remain also.

Sir *E. Brydges* supported the measure on the score of public utility. It was said, that the present Exchange was private property; but if it were, it differed essentially from other private property, because it was devoted to public purposes. He hoped that the report would be received now.

Mr. *T. Wilson* said, it had been asserted by the supporters of this measure, that corn would sell better in a large market than in a small one. If this were so, and if the present corn market were not sufficiently spacious, let the parties enlarge it, or build another elsewhere. The existing corn market was built by private parties for their use and convenience, and the business had been carried on there very prosperously for a great many years. This measure, he thought, interfered with private rights as much as any measure could possibly do. He believed that the sale of corn by commission had decreased, instead of having increased, of late years; and, that therefore, there could be no necessity for a new market. The effect of this bill would be, to turn out those who were in possession of the old market, and to allow the projectors to replace them by any persons they pleased. At present, the rent of a stand was 10*l.* a year; but if this measure succeeded, no doubt 20*l.* or 30*l.* a year would be charged; which would be an excellent speculation for those who formed the plan.

Mr. *H. Sumner* expressed himself friendly to the bill. A new corn exchange was very much wanted. The present corn market was a joint-stock company concern, seventy-five years ago, when the consumption of corn could not have been near so great as it was at present. He believed the increased growth and importation of that article considerably exceeded the increase of the population, and required this new market. The present market was quite inadequate for the sale of corn; and the place opposite to it was equally so. In consequence of the want of necessary accommodation, the street in which the market stood was frequently rendered impassable. It was said, that this was an uncalled-for invasion of private property. He did not view it in that light; but even if it were considered as private property, this interference was rendered necessary for a public object. They were told that the new proprietors would, under this bill, go and turn out the old proprietors. It was no such thing. They said, "We will build a market by the side of yours; and we will, for the purpose of making a communication between the two markets, take down as much of your wall as admits of four stands, at the annual rent of 40*l.* a year, for which we will make full reparation." It was also stipulated, that the new proprietors should, at the option of the old, take the whole of the market, if the latter desired it. He was decidedly of opinion that the House ought to give its assent to this measure.

Mr. *Curteis* thought there was great necessity for a new market; and therefore he should support the bill.

Sir *Robert Wilson* said, that a most respectable corn dealer had, in his evidence, pointed out the impossibility of carrying on business in the present state of the market, and it had come out in the course of the inquiry, that a bye-law had been framed by the society, or joint-stock company, who held the Exchange, by which they excluded from participating in this corn trade, every person except corn factors. The corn factors had thus elected themselves into a body, who were to mete out to the public whatever quantity of corn they thought fit, under their own regulations, and at their own price. That this was a monopoly, and a very profitable one, was apparent from this fact—that though the premises were not worth more than 10,000*l.* the good-will was estimated at 60,000*l.*; and the proprietors actually called for that indemnity, if the market were affected by this measure. Those who required this bill, were anxious that the present proprietors should throw open the market to the corn dealer generally, and give sufficient accommodation for transacting business. They did not wish to keep possession of the whole, but to have a place allotted to them where they might have the same advantages as were enjoyed by the corn factors. That was refused. Then they said to the old proprietors, "If you will not do that, let the city, or the government of the country, take the matter up. We are not anxious to pay our money. Let the government of the country advance the money on the usual terms, and let a new market be erected." This proposal appeared to be as disagreeable to the old proprietors as the other. The new proprietors then said, "Let us have access to the old market by a passage. All we ask is ingress and egress to those premises which we are about to build, through your market." This was also refused, although a full indemnification for any loss was offered. The new proprietors then asked for a façade. "Let the portico," said they, "run round the market, and we will raise a building contiguous to it; so that the doors of the two buildings will be under the same portico." This was likewise refused. In short, he never before heard of such a series of refusals connected with a matter of public utility. What did the persons who called for this bill say? They said, "We want another market; and if you, the old proprietors, refuse to grant what we require, and we are compelled, under this bill, to take your market, let the value of the premises be assessed by a jury, and we will pay you even 60,000*l.*, if they are estimated at that sum, and that, too, before a single stone of the building is touched." This was perfectly fair. The bill, too, it should be recollected, was only for a limited period; and if the new building were not built in the course of twelve months, and the money for indemnity, whether 10,000*l.* or 60,000*l.*, paid, its provisions would be null and void. Those who were hostile to this measure were not opposing the projectors of the bill, but the general benefit of the public at large.

Mr. *Calcraft* said, that the object of this bill was, to take by force the property of individuals; and, in order to put a face upon the matter, those individuals were calumniated as monopolists. That was the charge against them. Now, he suspected that the other parties were the monopolists; because, if they intended fair competition, they would leave the old Corn Exchange to compete with the new one. If this were done, he could understand what his gallant friend meant when he spoke of benefitting the public. The old proprietors only said, "Leave us as we are, and we will compete with you; but pray do not take away our property." What would the Bank of England say, if, at the end of their charter, a body of individuals declared, "We want to set up a bank to upset your monopoly; but we will not only do that, but insist on having your premises?" The Bank would make answer, "Leave us as we are. You may set up a bank in the most commodious place for the benefit of the public, and we will compete with you; let there be two banks, but leave our premises alone." This was his view of the case.

He could not agree to this infraction of private right, to serve any set of speculators.

Sir *E. Knatchbull* defended the character of those with whom this measure originated. It was admitted on all hands, that the present market was most inconvenient; and those individuals had taken the only method of remedying the inconvenience. But it was said, "cannot you build elsewhere?" It would, indeed, be speculating with a vengeance if they came to the west end of the town to erect a corn-market. These individuals had fixed upon the only place where the corn business could be efficiently carried on. If this bill was defeated, the building would still go on; but there would be no communication between the two markets, and the greatest possible inconvenience would be the consequence.

Mr. Alderman *Wood* said, there could be no doubt that it would be very inconvenient to the promoters of this new market if the bill should not pass, as they had already purchased the ground for it close to the old one; but that was no valid reason why those who held private property should be compelled to surrender their rights. He, however, wished to see the matter amicably arranged; as he was of opinion, that there ought to be an enlarged market; but, he trusted parliament would not encourage an invasion of private property, especially as there was no charge brought against the individuals who would be affected by it.

The House then divided: For bringing up the Report 76; Against it 27. Majority 49.

Corn Laws—Importation of Foreign Grain—London Petition.] The Sheriffs of London presented at the bar a Petition from the Corporation of London, setting forth,

"That the petitioners, cordially approving of the principles of free trade, are desirous of seeing them carried into effect, as far as is practicable under the circumstances in which this country is placed; that the petitioners are deeply impressed with the present distress of the country, which seriously affects almost every branch of the manufacturing and commercial interests; that while the petitioners approve of the principles of free trade, and are desirous of seeing all unnecessary restrictions upon the commerce of the country removed, as far as practicable; yet they are most strongly impressed with the difficulty and danger of carrying such measures into effect with the present high price of food, artificially kept up by the restrictions upon the importation of corn, and the load of debt and taxes which still press upon the manufacturers of this country, and which must disable them from competing with those countries where food is cheap, and the national burthens are inconsiderable; that the Corn laws in their operation counteract the natural tendency of industry, skill, and enterprise, to extend and improve manufactures, and thereby to render this country the market for supplying the demands of a great part of the habitable globe; that with a view to facilitate these objects, it is essential that raw materials of every description should be freely imported in exchange for the goods manufactured in this country; that the foreign demand for the manufactures of this country is limited, in a great degree, by the means of payment possessed by foreign consumers, and as those countries which are purely agricultural can only barter with the produce of their soil, it follows that, by prohibiting the importation of such produce, they are debarred from purchasing British goods, and thus induced to become our competitors in many branches of manufacture; that restricting the importation of foreign corn, while free trade is to be opened for foreign manufactures, tends to deprive British artizans of employment, at the same time that it enormously enhances the price of their food, and reduces them to a state of pauperism; that the petitioners cannot consider the present system of the Corn laws beneficial to the agricultural interests, seeing that under those laws great fluctuations of price, and distressing reverses have been experienced by the farmer, whilst the peasantry have been reduced to a condition of great misery and distress; that the present distress demands an immediate and effectual reduction of the expenditure of government, in the military and every other department where it can be admitted, in order that the country may be relieved from the assessed taxes, and all those burthens which so greatly impede the restoration of the national prosperity; the petitioners, therefore, humbly pray, That the House will take the premises into their consideration, and that the free importation of foreign grain may be permitted under certain duties; and that the assessed taxes may be forthwith repealed, or that the House will afford such other relief as to their wisdom may seem meet."

Alderman *Wood* supported the prayer of the petition, and said, that it was impossible for our manufactures to compete with the commodities of other countries while food was at more than double their price. It was high time for parliament to turn its attention to the subject, and to take notice of the great falling-off in the supplies of grain. The difference in the quantities brought into the market in the corresponding quarters of 1825 and 1826 was as follows:—In wheat there was a difference of 57,677 quarters, being that much less in the last quarter than in the same quarter of 1825. In barley there were 79,937 quarters less; oats 20,000 quarters less; pollard, 36,000. It was quite plain that corn would by this time have reached a famine price, had it not been for the late alterations in the currency.

Mr. *Whitmore* said, he had been misunderstood as to his intention of bringing on the question of the Corn laws. On fixing another motion of his, which stood for the 23rd of May, he had, by mistake, been represented as having put off his motion of to-morrow on the Corn laws. He wished it to be clearly understood, that it was his fixed determination to bring on the subject to-morrow.

Alderman *Thompson* concurred with the enlightened citizens of London, that it would be vain to attempt to establish principles of free trade, unless they were extended, in an equal degree, to the trade in grain. Some thought, that they ought to have begun with the corn-trade; but, for his part, he was anxious first to divest the agriculturist of the argument which existed in favour of monopoly, in the restrictions and prohibitions on foreign manufactures. Those prohibitions and restrictions were now almost wholly done away, and all articles were admitted, on payment of reasonable duties. The same principle ought to be applied to imports of grain. They were told, when the bill was passed in 1817, that the effect of the bill would be, to produce plenty at cheap rates and fixed prices. At present, trade was every where stagnant, or nearly so, and the general poverty and distress were aggravated by the danger of scarcity, and the high price of food. Nothing could be more fluctuating in price and quantity than corn had been ever since.

Ordered to lie on the table.

FOREIGN SHIPPING—PETITION FROM SUNDERLAND FOR A DUTY ON.] Mr. Heathcote presented a petition from the Ship-owners of Sunderland, setting forth,

"That the Shipping trade of this kingdom, on which the petitioners are dependent for employment and support, has of late been greatly depressed, and the circumstances of the petitioners thereby considerably impoverished; that the cause to which the same is mainly to be attributed is, the operation of the 'Reciprocity of Duties Act,' which, by allowing the importation of articles of foreign merchandize in ships belonging to any country on equal terms with British vessels, gives to foreigners a decided advantage over the subjects of this country, inasmuch as that the former being enabled to build and navigate their ships at a considerably less cost than the petitioners, are consequently in a situation to accept freights at a much lower rate than the petitioners; that a considerable proportion of their shipping is now laid up, the petitioners finding they can only be navigated to a loss, the effects of which will not only be severely felt by themselves, but will also be the cause of much poverty and distress to the working classes dependent on them for employment; that the petitioners beg to refer to the Custom-house returns of British and foreign tonnage employed during the last year, which, when compared with that of the year preceding, they have no doubt will show a very great increase in foreign shipping over British; that the petitioners humbly conceive themselves to be entitled to the protection of the legislature equally with other branches of trade and of agriculture, and hope the House will be pleased to pass a law for levying such a protecting duty on foreign shipping as will enable the petitioners to compete with foreigners in the freight market, without which the petitioners find they must shortly be reduced to a state of comparative poverty; the petitioners, therefore, humbly pray, That the House will take their case into their serious consideration, and afford them such relief as in their wisdom may seem meet and proper."

Sir *M. W. Ridley* supported the petition, and wished that the president and vice-president of the Board of Trade were in their places, as this was a subject deserving the gravest consideration of government. It was not a little extraordinary to observe, that between 1821 and 1825 the tonnage of British and foreign shipping engaged in our trade having been doubled, the foreign shipping had increased in equal proportion with the British. Another circumstance worthy of remark was, that there was uniformly an increase in the shipping of those countries with which we had entered into commercial treaties, while there was no increase of the shipping of those countries with which we were not bound by any such treaties. He did not say that the increase of foreign shipping was hurtful to the trade of the country; but it was clearly calculated to injure our carrying trade, and to counteract, in that degree, the great nursery of our seamen.

Mr. *Heathcote* said, that the facts proved by the returns on the table ought to be sufficient at once to induce ministers to take up the consideration of this very important subject. The following would show, in one view, the slow progress which British shipping had made within this year:—

BRITISH.

	Ships.	Tonnage.	Men.
1824....	11,733....	1,797,320....	108,700
1825....	13,517....	2,144,680....	123,120
	Increase.		
——....	1,784....	347,360....	14,420

FOREIGN.

	Ships.	Tonnage.	Men.
1824....	3,389....	469,151....	28,421
1825....	6,967....	958,050....	52,630

EXPORTS—BRITISH SHIPS.

Decrease.	1824.	1825.
Sweden	9,698..	8,741
The Baltic....................	401..	318
Norway	8,559..	8,438
Denmark	44,418..	42,944
Increase.	1824.	1825.
Prussia	49,200..	87,858
Germany	70,933..	80,020
Belgium....................	44,354..	53,003
United States....................	43,082..	43,139

Mr. *Sykes* expressed his concurrence in the sentiments of the hon. member who had preceded him.

Mr. *Baring* observed upon the absence of ministers from the House at that period of the evening; then near six o'clock. Here were petitions before the House involving questions of the highest interest to the country, and there was not one minister of the Crown in his place to give any opinion or information respecting them. The House of Commons, he must say, was not accustomed to be treated with such disrespect. With reference to the Reciprocity system, he was one who had concurred in the experiment being tried; but only as an experiment. He must admit that, as far as it had gone, it had failed. He should like, however, to hear what the right hon. the President of the Board of Trade had to say upon the subject. He wished to know what had been the cause of the present appearances, and what was expected to be the future results of the experiment. He was inclined to think the experiment had not yet been sufficiently tried. The worst result undoubtedly was, that those powers with whom the Reciprocity treaties had been made, showed an increase in the employment of their own shipping; but it was, at the same time, to be borne in mind, that this increase had taken place without any diminution upon the total of ours. The whole question was one of the highest importance; and it would be useless for him to add, that it was a question not only of national wealth, but of national power.

Mr. *Robertson* thought that the hon. gentlemen opposite, who had urged ministers to these experiments, saw now sufficient reason for retracing their steps. While the taxes of the country were so heavy, it was impossible we could compete with the foreigner.

Mr. *Hume* was also sorry that ministers were not present, when a subject of so much importance was before the House. If they had been in their seats, he would have recalled to their memory, the speech delivered by the late Mr. Ricardo, when the Reciprocity Duties bill was under debate. He had stated distinctly, on that occasion, that if this country acted upon the system of reciprocity, without repealing the heavy duties by which the shipping interest were pressed down, the consequence would be, beyond all doubt, that we should lose that branch of our trade; and he had voted for the bill only on the understanding, that in the ensuing session all those duties would be removed. He entirely concurred in Mr. Ricardo's opinion. If the taxes on our navigation were repealed, he believed that, under the freest competition, British shipping would keep their ground against all rivals, from every part of the world; but for that purpose it was essential that the whole of the taxes should be abolished on hemp, timber, iron, tallow, and all other commodities consumed by the shipping interest.

Mr. *Irving* said, it was a fact much to be deplored, but undoubtedly true, that the employment of British shipping was now confined to the colonial trade; and he regretted to observe, that there was a set of persons seeking, night after night, to destroy that interest. Almost the whole of the navigation of the countries, that had adopted the reciprocity system, was carried on by foreigners.

Ordered to lie on the table.

RELIGIOUS FREEDOM—PETITION RESPECTING.] Mr. *Hume* rose to present a petition signed by about three hundred individuals, setting forth "That the petitioners, taking into consideration the high dishonour reflected on the Christian religion, and the absolute surrender of the great principle of the Protestant Reformation, which is the right of private judgment, in the late prosecutions for blasphemy, most humbly beseech the House to pass an act for the immediate and unconditional liberation of all persons now under confinement for blasphemy, impiety, or heretical pravity of any kind or degree whatever; and that it might be made the law of England that from henceforth no person or persons shall ever be subject to annoyance or prosecution for the holding, maintaining, or propagating, by printing or preaching, any religious principles whatever, provided they conduct themselves as virtuous members of the community, and loyal subjects of our sovereign lord the King." He concurred in the opinion of the petitioners, that no man ought to be imprisoned for holding a religious opinion which happened to be different from his neighbours; and it was certainly a reflection on the present enlightened age, that people should be cast into prison for three, four, and five years, for no other crime than that of thinking as they pleased upon speculative subjects. He was glad to find that the present Secretary of State for the home department did not, like some of his predecessors, encourage these prosecutions; still it was singular, that when, on a late occasion, he had ordered the liberation of Mr. Carlile, he had not also set at liberty a number of other persons who were incarcerated for offences of the same nature. If these matters were left to their own operation, without the notoriety of state trials, they would soon become things of utter indifference.

Mr. Secretary *Peel* said, that there was a great distinction between Carlile's case and that of the others to whom the hon. member alluded, and who were confined for certain definite periods. The additional confinement which had been endured by the former individual was by way of commutation for his fine and sureties.

Mr. Serjeant *Onslow* denied that these prosecutions interfered with the right of private judgment, unless, indeed, that could be called such which struck at the root of all morality and religion. It was an abuse of terms to designate blasphemy and impiety as connected with the just right of free opinion in a well-regulated state.

Ordered to lie on the table.

EXCLUSION FROM COURT OF CHANCERY—PETITION OF G. FARQUHARSON.] Mr. *Abercromby* rose to present a petition from Mr. George Farquharson, of the Strand, which stated, that the petitioner had been employed for upwards of twenty years by the suitors and solicitors of the court of Chancery, in taking notes of the proceedings of that court, and that he was now in the employment of a morning newspaper. That on Friday, the 14th instant, the day on which the New Court of Chancery in Westminster-hall was opened for business, he, the petitioner, following his customary avocations, applied for admission to that court, but was told, to his surprise, by the officers of the court, that he could not be admitted, and that the reporters were in future to be excluded; and the petitioner, after stating the loss which such a measure would be to the public, and the hardship of his being deprived of his employment, if such exclusion were persisted in, concluded by submitting his case to the House, in order that the liberty which he had enjoyed for so long a period might still be continued. In presenting this petition, the learned member said, he thought there must have been some misconception between the petitioner and the persons by whom he had been excluded. If otherwise, he certainly thought it extremely hard, that the court of Chancery should be exclusive in adopting a measure which had not been acted upon by the other courts, where reporters were not denied the right of being admitted. It was not necessary at present to state the benefits which resulted to the public from the practice of giving publicity to judicial proceedings, as its good effects were sufficiently apparent; but it might be requisite to state, that the suitors of the court of Chancery in particular were extremely anxious to obtain accurate reports of the cases in which they were interested, and it would be hard if, by any new measure, that accommodation should be denied them.

The *Solicitor General* said, that if any person connected with the public press had been excluded from the court of Chancery, he was confident that such exclusion did not originate with, and was not sanctioned by, the head of that court. There was no accommodation, however, in the new court for reporters to sit.

Mr. *Scarlett* said, that a more contemptible court of justice than the New Court of Chancery there was not in the kingdom. There was no adequate accommodation for the gentlemen of the bar, and in every point it was a most inconvenient court. There were no means of accommodation for the public, not to speak of reporters. With respect to the court of King's-bench, all he could say about it was, that every defect of the old court seemed to have been scrupulously copied, for the purpose of transferring it to the new court; and, as to the court of Exchequer, although from its size it was certainly the most commodious of the new courts, its internal arrangements were by no means improved. Indeed, as he had just remarked with respect to the King's-bench, every defect of the old court was scrupulously continued. The bench was awkwardly situated, and the seats for counsel being on one side only, occasioned much inconvenience. Then, as to the gallery behind the bench, which had been copied from the old court, he never yet could see the use of it. The only improvement which had taken place in this court was, that in point of space it had been considerably enlarged. He would not allude to the useless passages which surrounded the courts, or the senseless ornaments by which the walls were decorated; but he would venture to say, that a greater waste of money had seldom taken place than in the making of these new courts. He was sorry to say that the suggestion he had made last year, to appoint a committee to manage the improvements, had not been carried into practice. The passages that ran parallel from Westminster-hall were of no use whatever; and he wondered at the wildness which could have induced men to adopt such fantastical plans as those which had been put into execution in the new courts at Westminster. He was sorry to say, that the public had been put to very great expense, and that the accommodation which they were to receive in return was by no means adequate.

The *Chancellor of the Exchequer* said, that after the strong language used by the hon. and learned gentleman who just sat down, he felt called upon to say a few words, as well for the satisfaction of the House, as for the sake of rescuing the reputation of the professional gentleman by whom the new courts were built, from the unmerited censure with which he had been assailed. Five or six years ago, when the building of those courts was contemplated, it was understood to be indispensably necessary that they should all open into Westminster-hall. The site of them being therefore particularly prescribed, and the space within which they were to be erected exceedingly limited, the wonder was, how so much could be accomplished within so circumscribed an area: hence the professional character of the architect was placed under the influence of circumstances of peculiar difficulty. In executing a work of that nature it was not to be expected that he could succeed in giving universal satisfaction. It was impossible for Mr. Soane to consult all those gentlemen in the legal profession who had formed themselves into a sort of committee to arrange the building; but he had frequent communications with the judges. He had consulted them over and over again, and all their suggestions he had carried into execution; and all the alterations they recommended he effected. With respect to the hon. and learned gentleman opposite, he had the honour to attend him over the works; he had directed Mr. Soane to call upon him and explain all the plans, and had flattered himself that the learned gentleman was quite satisfied that every alteration suggested had been carried into execution, that was not incompatible with the wishes and opinions of the judges of the courts. With respect to the passages alluded to, he thought, that so far from their being objectionable, they were indispensable as a means of communication. It was, therefore, very hard to throw such blame on the architect. Mr. Soane's hands were tied up; so inadequate to the purpose was the space allotted. He did not believe that any other man in England could, out of such space, have afforded so much accommodation; and it was a little too much that the reputation of a distinguished architect should be destroyed by severe animadversions in that House.

Mr. *Scarlett* disclaimed any idea of casting aspersions on the character of Mr. Soane.

Sir *M. W. Ridley* expressed his disapprobation of the mode in which public works were carried on. When a public building was about to be erected, plans and models ought to be submitted from the various artists generally. The thing should be thrown open to the public; for, according to the existing state of things, it was impossible for any architect to be employed, unless he was connected in some manner with the Board of Works, as it was called. There should be a fair competition thrown open to the talents of the various artists. Let them only look round the town, and see the abilities which the various public buildings, churches, &c., had called forth. For example, there was the new church at Chelsea. Had it not been for that opportunity, the talents of the distinguished artist who erected that beautiful church might have passed unnoticed. He did not mean, in the slightest degree, to dispute the talents of Mr. Soane, or to detract in the least from the acknowledged merits of that individual; but he thought it would be a considerable improvement if public works, like those of a private nature, were open to a fair competition.

Mr. *R. Colborne* said, that with respect to plans and models, none but young artists could present them, for the more experienced and distinguished were occupied so constantly, that they could not have leisure for such a course.

Mr. *Holme Sumner* considered the new courts to be very inconvenient. They might with more propriety have been erected on the other side of the Abbey; but he did not consider Mr. Soane at all to blame, as he had acted under the direction of others. It was certain that the courts were inadequate, and that they were by no means suited to the public convenience. He considered, however, that they might be rendered commodious, and he regretted that the report of the committee, who had taken the trouble to suggest considerable improvements, had not been attended to. Amongst other suggestions, in consequence of several complaints having been made, it was proposed to add twelve committee-rooms to those already provided. Two committee-rooms, however, were only added, and the consequence was, that considerable inconvenience existed from the want of those rooms. He intended to move that the committee of improvement should be revived.

Mr. *Abercromby* was rejoiced to find that his impression that no order had been given for excluding reporters from the court of Chancery was correct. The presenting of Mr. Farquharson's petition would, in all probability, have the effect of preventing the authority of a judge from being abused by those who said, they acted under his directions.

Ordered to lie on the table.

USURY LAWS REPEAL BILL.] The *Chancellor of the Exchequer* rose to move the order of the day, that the House do resolve itself into a committee of ways and means.

Mr. Serjeant *Onslow* observed, that his motion for the second reading of the Usury Laws' Repeal bill was entitled to precedence; however, he was willing to concede priority on the understanding that his motion should come on immediately after the committee of ways and means.

The *Chancellor of the Exchequer* said, he considered the best course to pursue would be to abstain from the second reading of the bill this session. Owing to the present state of the country, and the inquiries which were going on in the committee on the Scotch and Irish currency, he thought that some future occasion would be much better than the present for discussing the subject. He would not pledge himself to support the bill, but should be guided in the course he should pursue by the evidence which might be given in the committee, and by the information which he should endeavour to acquire on the subject before next session.

Mr. *Philips* objected to this delay. He considered that a question of such importance ought not to be put off session after session.

Mr. Serjeant *Onslow* said, he did not complain so much of the personal inconvenience to which the frequent postponement of this measure had exposed him, as that it precluded him from having the question fairly brought forward. He had first introduced the measure to the notice of the House in the year 1816, and he had laboured ever since to forward it. With regard to a further postponement he should abide the pleasure of the House. This was a bill which should have emanated in the first instance from government, and not from an individual. It had been its fate to meet with much opposition, although many gentlemen who at first opposed it were now its warmest supporters. The measure had made many converts, and he could not help regretting that it had not been long since carried. If ministers had given it their support, he could not but feel that much of the misery which the country was doomed to witness last November and December, would have been spared. If they would themselves bring forward the measure, he would at once decline pressing the present bill, and would support theirs.

Mr. Secretary *Peel* said, that his learned friend was entitled to the highest praise for his perseverance. It was not on account of the lateness of the session, that his right hon. friend wished for the postponement of the question; but because there were at present under the consideration of parliament, so many important subjects, as to render the period extremely inconvenient. There was an inquiry on foot as to promissory notes, which was closely connected with the subject; and it would be obviously inconvenient to make any alteration in the law relating to interest, at a moment when the whole question of the currency of England, Ireland, and Scotland, was under consideration. As the learned serjeant had been patient for ten years, perhaps he would consent to defer the subject a little longer. In the recess, the attention of the government would be directed to it, and they would, of course have no objection to relieve the learned serjeant from the labour of the question, if, upon due consideration, it appeared a subject which they would be justified in bringing forward.

Mr. Serjeant *Onslow* said, that after what had fallen from his right hon. friend, it would be doing great injustice to the question to persevere in his motion. He should therefore beg leave to withdraw the bill.

Exchequer Bills.] The House having resolved itself into a committee of ways and means,

The *Chancellor of the Exchequer* said, that he rose to propose certain resolutions respecting the funding of Exchequer-bills, a measure which had been adopted by his majesty's ministers for the purpose of relieving the Bank from a portion of the advances which had been made to government, and of diminishing the amount of Exchequer-bills already in the market. In pursuance of that plan, government had, in the course of last week, sent a proposal to the Bank, stating the nature of the measure, and explaining that it was intended to fund Exchequer bills, by creating a new stock, which should yield four per cent., fixing the amount of stock at 107*l.* for each subscription of 100*l.* in Exchequer-bills, or 100*l.* 10*s.*cash; and it was further proposed, in order to make the proposition more acceptable to the parties who might purchase, that the four per cents should not be redeemable in a less period than seven years. In consequence of this measure, books were opened at the Bank on Wednesday last, and it was fixed that the interest should commence on the 5th of April current, and that the first payment should be made on the 10th of October next. The result would yield a bonus of two per cent. The total amount proposed to be subcribed for was 8,000,000*l.* He was happy to state that the measure had been most successful: 8,000,000*l.*, or near 9,000,000*l.*, had been purchased, and he had no doubt, that if the transaction had not been closed, a still greater amount would have been subscribed for. All that remained now was, to state the charges which would be created by this funding of Exchequer-bills. The addition thus made to the funded debt would be 8,560,000*l.*, the interest on which would amount to the annual sum of 342,400*l.* The addition of the sinking fund would be 5,600*l.*, not upon the stock created, as the only sinking fund necesssary would be one per cent upon the funding and capital created, making a total of 350,368*l.*, including 2,568*l.* for the expense of management. The difference in the charge on the operation would be 77,000*l.* This deficiency he meant to supply by no new tax, but to charge on the consolidated fund; so that it would make no increase to the public burthens. It was not necessary for him to go further into explanation, as it was not probable that the House would be disinclined to confirm a bargain which was so fair for the parties and the country.

The right hon. gentleman concluded by moving the several resolutions.

Mr. *Irving* asked, whether any arrangement had been made for including in the payments to be made to the Bank the sums they had disbursed in the purchase of Exchequer bills in the early part of the year?

The *Chancellor of the Exchequer* replied, that undoubtedly the Bank would be paid off at the most convenient time, and the present arrangement would enable the government to do so; but the payments would be made at such times and under such circumstances as the state of the currency and the demands of the Bank would render it most desirable to the government and useful to the country.

Mr. *Maberly* begged to ask, how the right hon. gentleman proposed to pay off the new debt, and what was the amount of the new sinking fund which he proposed to create?

The *Chancellor of the Exchequer* replied, that, by an act of parliament, the sinking fund was to go on increasing at compound interest until it amounted to one per cent. on the whole amount of the debt. The whole debt, funded and unfunded, was already provided for by the regular sinking fund; so that the sinking fund to be raised was only upon the sum which formed the difference between the original amount of Exchequer bills as it stood under the name of unfunded debt, and the new stock now about to be created, forming a sum of about 560,000*l.*

Sir. *J. Wrottesley* asked, if there was any precise time in which the right hon. gentleman proposed to himself the payment of the Exchequer bills?

The *Chancellor of the Exchequer* replied, that it was undoubtedly his object to have the means of paying them off as soon as possible; but, as he had already stated he was not under an obligation to pay them off at any particular time, but was at liberty to watch the market, so as to take advantage of such opportunities as occurred most beneficial to the public interests; as it was impossible, therefore, to mention any precise time—all he could say was, that it would be done as soon as convenient, although he thought it would be very imprudent to take any sudden measures which would affect the circulation.

Sir *J. Wrottesley* asked, what was to become of the surplus which would thus remain in the hands of government, provided it were not found necessary to make the repayment of the greater part to the Bank?

The *Chancellor of the Exchequer* replied, that the effect of that would be, to render a smaller issue of Exchequer-bills by the government necessary, than might otherwise be required.

Sir *F. Ommaney* wished to know, whether a preference in the subscription for the new stock was not given to those who offered money rather than to those who went with Exchequer-bills?

The *Chancellor of the Exchequer* was not aware that he had said any thing about a preference being given to any party. The conditions on which the new stock was to be issued were known to the public on Wednesday last. But he had no objection to lay before the House an account of the nature of the subscriptions for the stock, distinguishing the amount in Exchequer-bills from that in cash.

The resolutions were then agreed to.

Criminal Justice Bill.] The House having resolved itself into a committee on the Criminal Justice bill,

Mr. Secretary *Peel* observed, that this bill, which purported to have no less an object than the improvement of the Criminal Justice of England, seemed to him to be of such great importance, that he conceived the best method he could adopt in its consideration would be, to have it read clause by clause to the House. In that way he could, he thought, introduce most satisfactorily the very few amendments and alterations which it was necessary to propose. The first, and by far the most important, related to the powers of magistrates in the taking of bail—powers which had remained without any alteration since the time of Edward 1st. His object was, in this bill, to procure such a legislative provision, as would make it distinctly understood—what the powers of magistrates actually were with regard to bail, upon which there had been, for a long period, very considerable obscurity; and next, to extend the class of offences for which bail could be received, by giving some precise and definite description of the kind of offenders from whom bail could be taken, pointing out clearly who might be admitted to bail, and who must be committed to safe custody. He proposed, that where any person should be taken on a charge of felony, or suspicion of felony, before any justice of the peace, and the charge should be supported by positive evidence of the fact, or by such evidence as, if not explained or contradicted, should, in the opinion of the justice, raise a strong presumption of the guilt of the person charged, such person should not be admitted to bail by any justice or justices of the peace, either in or out of sessions; but should be committed to prison by the justice before whom he or she should be so charged, in the manner hereinafter mentioned. But (and this was one of the amendments he proposed to introduce at present), if there was only one justice present, and the person should be charged before him with felony, or the suspicion of felony, and the charge was not sufficient to justify an immediate commitment; but yet, if there was, in the opinion of the justice, such a strong presumption of guilt as would render it necessary to have further inquiry made, before he could either safely commit or discharge—the justice should not, in that case, take bail, but order the prisoner to be detained until he could be taken before two justices; and if the further evidence produced against the person suspected was not such in the opinion of two justices, as to raise a strong presumption of his guilt, or such evidence should be adduced on behalf of the person charged, as should, in their opinion, weaken the presumption of his or her guilt, but there should, notwithstanding, appear to them to be sufficient ground for judicial inquiry into his or her guilt, in such case, the person charged should and might be, admitted to bail by such two justices in the manner mentioned. This provision, with this amendment, would have the important effect of lessening the number of those who were sent, sometimes most unnecessarily, as it turned out afterwards, but yet, in strict compliance with the law, to an imprisonment injurious at once to health and to morals; for, looking at the number of commitments for felonies—and the number ultimately prosecuted and found guilty, there appeared a disparity which excited a strong suspicion of the policy, whatever might be said of the justice, of the course at present adopted. Now, if the committee looked to the effect of imprisoning for a long period in a common gaol an innocent man on a charge of felony, and considered that, in almost all cases, such a person came out a much worse man, in point of moral character, than he was when he went in; they would not, he was sure, object to the grant of a power to magistrates, which would prevent, in many cases, the chance of an innocent man being exposed to such a contamination. He inserted the word "credible," and that was a most important alteration, because at present, where a man was charged with felony, the magistrate, even though he might not think it a case strongly presumptive of guilt, had not the power to admit to bail, but must commit or discharge the prisoner. In cases where two magistrates were present at the first hearing of the charge—and that, he thought, would generally happen in all cities and large towns—they would have the power of admitting to bail, if the circumstances should appear to them to be such as he had before mentioned. But where only one magistrate was at the first hearing, he would be bound to remand, if he had the doubts to which he had before alluded, until two magistrates could hear the case.

Mr. *Scarlett* said, that, in point of fact, magistrates already exercised the power about to be granted them by this act.

Mr. *Denman* thought that great difficulties would arise from placing too precise and exact limits to the conduct of magistrates. Too technical a laying down of their duties would have the effect of embarrassing them. He considered that there was a strong objection to the use of the word "credible," which was generally considered as synonymous with "competent;" and that, unless a person was convicted of some disqualifying crime, he must be considered competent. He should like the clause better, if magistrates were authorized, when the evidence appeared insufficient, to discharge the prisoner rather than remand him. He saw great reason for pausing before the clause proposed was agreed to. At all events, he hoped that nothing which passed that night would be considered as final, but that every clause would be printed and placed in the hands of members.

Mr. Secretary *Peel* said, that the clause already proposed was the most material one. The others were not of such consequence at present. If the evidence against the prisoner was positive, the magistrate was bound to commit; and therefore it was that he added the word "credible" to "positive." "Credible" was not to be taken in its technical sense. It meant to guard against the evidence of persons of suspected or doubtful character, as, for instance, common prostitutes.

The *Attorney-general* agreed with his right hon. friend, that the word "credible" was to be taken in its popular acceptation. Indeed, it was used as contra-distinguished from "incompetent." It meant persons who were credible from their character and conduct.

The clause was agreed to. On the clause, "That before any person shall be bailed, or committed, the justices shall take down the examinations, and bind all persons to appear as witnesses on the trial; and that all examinations, informations, and recognizances be returned to the Court,"

Mr. *Horace Twiss* said, that great inconvenience arose from not having the deposition of witnesses returned before the trial. In the absence of these documents, it was impossible to determine whether the evidence of the witnesses, as given before the magistrates, agreed with that given on the trial of the prisoner. He should therefore suggest, that in no case the trial should be proceeded on, unless the written examinations taken before the magistrates were in Court.

Mr. Secretary *Peel* was strongly of opinion that, if the suggestion of the hon. and learned gentleman were adopted, it might tend, in many instances, to defeat the ends of justice. Measures, for instance, might be taken by the friends of a prisoner to intercept the messenger who was conveying the depositions to the assizes, and thus prevent the trial from coming on. Besides, it would have the effect of taking the discretion of postponing the trial quite out of the hands of the judge.

Mr. *Horace Twiss* replied, that, unless the judge had seen the depositions, he could know nothing of the merits of the particular case, and therefore could use no discretion.

Mr. Secretary *Peel* said, that perhaps it was not necessary that the judge should be in possession of the merits. He thought it would be wrong to legislate on the subject.

The *Attorney General* observed, that if the suggestion proposed by his learned friend was adopted, a prisoner, through the neglect of the magistrates' clerk, might have his trial put off to the ensuing assizes. He admitted that it would be desirable to have the depositions in court during the trial; but if it was necessary to have them returned before the assizes, it might so happen that no officer would be in attendance to receive them.

The clause was agreed to.

Mr. Secretary *Peel*, on the clause being moved, that all informations and examinations on which any person should be imprisoned or admitted to bail, should be committed to writing, and returned into court at its opening, said that, at present, magistrates, upon charges of misdemeanour, were apt not to reduce the examinations to writing; but although it might give some little more trouble, he conceived it right that this should be done in all cases.

This clause was agreed to; as was also the clauses for giving similar powers to coroners, in this respect, as to justices, and imposing a fine on both of them in case of their failing to observe the above regulations. Upon the clause being moved, that all felonies, without benefit of clergy, should be ousted of that benefit under all circumstances consequent on the indictment,

Mr. *Hume* said, that the right hon. gentleman, whilst he was improving the criminal law, would be conferring a great benefit if he were to do away with the distinction as to the benefit of clergy altogether. Indeed, the meaning of this term was far from being generally understood.

Mr. Secretary *Peel* said, that he, for the most part, concurred in the opinion of the hon. gentleman; but the simple repeal of all these distinctions now would be premature. He hoped at no distant period, so early, indeed, as in the next session, to bring forward bills for the consolidation of the whole of the criminal statutes [hear, hear!]. These he would propose to take in the following order:—first, the laws relating to the injury of persons: second, those relating to coining and forgery. When these had undergone revision and alteration, most of the criminal law would have been revised and condensed. As soon as they had made that progress, it would be right, perhaps, to make one uniform provision upon the subject: but at present, those offences that were clergyable, and those that were not, were so interwoven in the statutes, that it was inconvenient to separate them, or to come to any specific provision upon the subject. Besides, the simple repeal now, by abolishing the words "without benefit of clergy," would have the effect of making some offences capital that were not so by law.

The clause was agreed to.

Mr. *Peel* next proposed the clause enacting, that "if any person indicted for any felony for which the offender is entitled to the benefit of clergy, and he shall on arraignment confess the felony, or stand mute of malice, or shall be outlawed under such indictment, &c. in every such case the person shall be deemed and taken to be guilty of such felony, and the court shall award such judgment as if such person had been convicted by a verdict."

Lord *J. Russell* was desirous that every person arraigned should have the benefit of a trial, whatever plea he might put forward, or under whatever circumstances a charge was preferred against him.

Mr. *Scarlett* observed, that the judges had uniformly evinced the greatest unwillingness to admit a party to plead guilty. Even where a prisoner was obstinate in refusing to plead at all, the judge had a plea of "not guilty" entered for him, and the trial gone through.

Mr. *Peel* said, he only proposed to enact what he already found in several statutes. The clause only proposed, in a compressed manner, to enact that which was already in force.

The clause was agreed to.

Mr. *Scarlett* objected to the clause which subjected "accessaries before the fact" to the same punishment as principals, in all cases of felony. There were some cases in which an exception was made to the general provision. As a general rule, he admitted that accessaries were liable to the same punishment; but before they altered the law as relating to excepted cases, he thought the committee ought to have before them the statutes, by which, for certain offences, the accessary was visited with a less punishment, the principal with a greater. The effect of the present clause might be, to increase the number of capital punishments, in some cases where the principal was indictable for a capital felony, and the accessary only made liable to one that was not capital.

Mr. *Peel* replied, that he had adhered to the principle on which the law proceeded in the punishment provided for offences. It was, that the accessary should be liable to the same punishment as the principal. Indeed, in some instances, the accessary, in his opinion, was more criminal; as in the case of persons instigating boys to steal in dwelling-houses, to commit robbery, or some other offence, with the expectation that, on account of their youth, they might escape the capital punishment due to the crime. There, in his opinion, the accessary was far more criminal. The principle wss such as he had stated, and would be found to pervade all the statutes relating to murder, burglary, stealing in dwelling-houses, forgery, and arson. And, as this was the general principle, he attributed the omission of observing this principle to negligent legislation in those cases where exceptions were made. He would ask, why accessaries in one class of aggravated offences should be subject to heavy punishment, and those of another class be exempted? Why, for instance, should a man, who was an accessary in piracy, be liable to the punishment of death, and the accessary in an unnatural offence not be liable? Wherever, therefore, he saw these exceptions to the general principle, he considered it owing to negligence in drawing up the statute.

Mr. *Scarlett* was desirous of having the cases in which the accessary ought not to be punished equally with the principal brought distinctly under the consideration of the House. He therefore wished the right hon. gentleman to postpone the consideration of this clause until an opportunity should be given to draw up an enumeration of the cases in which the accessary before the fact and the principal ought to share the same punishment.

Mr. *Peel* was anxious to have the clause passed now, in order that the printing of the bill might not be postponed. After it was printed it would be re-committed, and the learned gentleman would then have the opportunity of creating the discussion which he desired.

Mr. *Denman* concurred in the opinion of his learned friend, that before any alteration was adopted, the particular statutes in which these distinctions between the principal and accessary were made, should be laid before the committee, and the grounds of them examined.

The clause was agreed to. On the moving of the clause empowering offences committed within five-hundred yards of the boundary-line of two counties to be tried in either county,

Mr. *Sykes* expressed a wish, that in all cases a prisoner should be tried either in the county where the offence was committed, or in that in which he was apprehended.

Mr. *Peel* thought, that it would be much better to have the prisoner always tried in the county where the offence was committed, as it would enable both prosecutors and prisoners to conduct their cases with the least possible expense. If the prisoner was to be tried in the county where he was apprehended, how would the hon. gentleman act, supposing the prisoner was apprehended on the boundary-line, or in a boat on a river dividing two counties? He certainly could not consent to the hon. gentleman's proposition.

Mr. *Denman* asked, whether it would not be expedient, in order to give effect to this clause, to empower the magistrates to commit to the gaol of either county?

Mr. *Scarlett* observed, that if there were any doubt as to the boundary of a county, there would be also some doubt as to the distance of five-hundred yards from that boundary. It appeared necessary to make the law more explicit upon this point.

Mr. *Peel* observed, that this clause only re-enacted the present law. The clause contained the words "any felony may be inquired of in either county." These words, he conceived, met the case mentioned by the learned member for Nottingham. If they did not, he should be happy to insert a clause in the bill, which would give the magistrates the power which the learned member thought they ought to have.

The clause was agreed to, and the House resumed.

Larceny Laws Bill.] On the order of the day for the further consideration of this bill,

Mr. Secretary *Peel* said, he had to propose several important alterations. He therefore wished the House merely to go into the committee pro forma, that the bill might be reprinted, and stand over for consideration. He had originally proposed to consolidate, and he trusted he had succeeded in consolidating, the whole of the statute law of England relating to all offences against property, connected with theft; but he had found, in attempting to legislate with respect to theft, that all that part which related to the mischievous destruction of property was so intimately connected with theft, that it was difficult to draw a distinction. It was probable, however, that, should the committee agree to his alterations, he might think it expedient not to pass the bill through the House this session, but suffer it to lay over for consideration, in its amended state, till the next session.

Mr. *Scarlett* approved of the course pursued by the right hon. gentleman. He was aware of the importance of the bill, and was anxious that it should be passed as speedily as possible; but it was expedient that so novel a measure should be rendered quite perfect.

The House having resolved itself into a committee,

Mr. *Peel* said, he would shortly state to the House two or three of the alterations which he desired to make. In the first place, as it was expedient to limit, as far as possible, the list of offences which were subject to the punishment of death, he intended to repeal that law which made the stealing in a church (no matter under what circumstances, or to what amount) a capital crime. As the statute stood, a man who stole his neighbour's prayer-book, as they sat in the same pew at chapel together, would be liable to suffer death for it; the act being in itself no more than a simple larceny. He saw no reason why any other law should be applicable to a place of worship than to the common case of a dwelling-house. In either case the breaking and entering would be capital, but not the simple act of stealing. In the same way, the statute which made it death to steal from a booth or tent at a fair, was one which he thought deserved to be revised. People who kept such open booths ought to guard their property sufficiently themselves, and not look for laws of unreasonable severity to protect it. The stealing to the amount of 40*s*. in a dwelling-house, independent of burglary, was now capital: he proposed to increase the 40*s*. to 5*l*. The sum of 40*s*. had been fixed, as necessary to constitute the capital offence, in the reign of queen Anne. Considering the different circumstances of the country, the amount which he now proposed was not materially greater. There were two other statutes on which he would detain the House a moment—those applicable to stealing fish, and to stealing deer. The punishment for stealing fish out of any pond was seven years' transportation; and there was no difference between an angling and a stealing by nets or other engines. Now, he thought it rather hard to send an angler, although he did fish in other people's waters, to Botany-bay for seven years; and he therefore proposed a mitigation in favour of such characters. The law, as he would have it, should oblige every angler, who caught fish improperly, to give his name and address on demand, subject to a penalty of 20*l.* for giving a false one; and his punishment should be, to pay three times the value of the fish taken, with an additional fine to the king, to be levied by order of the magistrate. With respect to deer-stealing, hon. gentlemen were perhaps aware, that by the present law, any person who was sworn to have had the head, hide, or any part of the flesh of a deer in his house, within one month from the date of the oath, was liable to be called on, without any proof given that he really had possessed such venison, to show that he had not possessed it illegally. This statute was too severe; indeed perfectly unreasonable; and he proposed to leave the law as to venison on the same footing with that which applied to other meats. There were one or two other alterations which he proposed, and among the rest some change in the law referable to obtaining goods on false pretences; but with these, at so late an hour, he would not intrude upon the House.

The bill went through the committee, and was reported.

HOUSE OF LORDS.

Tuesday, April 18.

Corn Laws.] Lord *Calthorpe* rose to present a petition from the merchants, manufacturers, and other inhabitants of Birmingham, praying for an amendment of the Corn Laws. In proposing to lay before their lordships a petition on this important subject from so numerous and respectable a body, he could not forbear from again expressing his surprise and concern that his majesty's ministers should persist in their resolution to take no steps in this question during the present session. With regard to the Corn laws, some persons seemed to look upon them as part of the constitution; as existing by a sort of irresistible necessity; and as something far too sacred to be touched. He, however, was of a different opinion, and conceived it to be the duty of parliament to take them as speedily as possible into its most serious consideration. He regretted much the disposition to procrastination which ministers had manifested on this subject, and he must say, that it was not humane in them to leave the question of the Corn laws in the state in which it now stood; as the consequence of so leaving it was, that it arrayed two great classes of his majesty's subjects in hostility against each other. The intentions and views of the two parties were thus misunderstood; and the longer the investigation of the subject was delayed the stronger the delusion became. The conduct of ministers was, in this point of view, most invidious towards the landed interest. It was plainly saying to them—"You are so obstinate and so ignorant, that it is quite impossible for us to hope to convince you of what is fair and just; we are therefore obliged to delay a measure which we consider necessary." He did not consider this slur cast on the landed interest just; but such was the inference to be drawn from the conduct of ministers. He wished the noble earl opposite to reflect on the mischief which might arise from procrastination, if the quantity of corn in the country should prove deficient. For himself, he did not pretend to know what the state of the supply of the market was; but, according to all the accounts he had heard, it was not abundant. What, then, might be the consequence of a bad harvest? If such an event were to occur, the country would be involved in a crisis infinitely more calamitous than that which had recently been experienced, which he believed was yet far from being past, and for which ministers had proved themselves to be by no means prepared. If, however, a crisis of the kind to which he had alluded should arrive, ministers could not pretend that they had not had full opportunity for preparing against it; for the number of petitions which had been presented took away all excuse of the evil not being foreseen. He admitted that the noble earl had thrown out some observations on the speculations which were going on last year; but the impression on his mind was, that what the noble earl said was intended to guard persons against the hope of receiving any assistance from government if their schemes should fail. He recollected nothing which could be regarded as a warning against a crisis of the kind which had occurred. The petitioners declared, that in calling their lordships' attention to this subject, they were not actuated by the desire of promoting merely their own advantage, but by a wish for the welfare of the whole community; and he concurred with them in opinion, that there was no greater fallacy than that which supposed that any two parties in the state could constantly have conflicting interests.

The Earl of *Liverpool* was sure their

lordships would excuse him for troubling them with a few words in reply to an attack so unprovoked and unjust as that which had just been made on his majesty's government. The noble lord, alluding to what had passed last session, had misunderstood him, and did not represent his opinions correctly; but he had no difficulty in referring to any document in which any account of the opinions he had given was to be found, for a more accurate representation of them. With regard to the present subject, he had in the course of last session stated, that the Corn laws ought to be reviewed by parliament. He not only expressed this opinion, but stated why he thought parliament would have to consider the propriety of making some alteration in the state of the law. He referred to the report of the committee of 1822, to show that some change was then thought advisable; for that committee had stated, that they looked to the regulations they recommended as to a present measure, and that the subject was one which required further legislation. He would not now enter into any discussion of the question, but would merely say, that what had since passed tended to confirm him in his opinion that the Corn laws ought to be considered with a view to some alteration. When, however, he had said this much as to his opinion of the propriety of revising those laws, he must be allowed to add, that he had lived long enough to know the necessity of looking to times and circumstances in bringing forward any particular subject. In this way he had looked at the Corn laws, and had, at an early period of the present session, no difficulty in saying, that he did not think this a time in which that question could be with propriety brought under the consideration of parliament. This was an opinion in which those who acted with him concurred, and which was very generally acceded to by all parts of the House at the time it was stated. He had seen enough of public life to know that no greater injury could be done to any cause than to press it forward at an inconvenient and improper moment. He was aware that other persons might entertain very different views on this question. They might think the present a fit time to bring it forward; and, to their prudence and discretion, must be left the option of trying that course. It was obvious, that, with regard to this, as well as any other subject, there might be times in which it could be conveniently agitated, and others in which it would be better to allow it to rest. It was his duty to consider what was fittest to be done, with a view to the general interests of the community. He and those with whom he acted thought that the present was not a proper time for the consideration of this question. If the noble lord thought otherwise, it was for him to exercise his discretion. It was said, that, as ministers had acted on liberal views, in giving the country the advantages of free trade, it was extraordinary they should not have commenced with the Corn laws. But the argument of the connexion of the Corn laws and free trade might be applied in two different ways. The noble lord might be of opinion, that the Corn laws should have been brought forward first; while others would be of opinion that it was better to begin with those measures which had already received the sanction of parliament. This was a point upon which different views might be entertained; but it certainly did not necessarily follow, that those who approved of the principle of free trade should think that, in carrying that principle into practice, the experiment should first be made on the Corn laws. It was his wish to bring this subject under the consideration of parliament at the time at which he thought it could most advantageously be discussed. That the real interests of the different classes of the community could not be opposed to each other was an opinion in which he concurred; but nevertheless, when this question should come to be considered, the noble lord would find himself very much mistaken if he supposed that much argument would not arise out of apparently clashing interests. But this would be matter for consideration at the period when it should be thought advisable to bring the subject forward. The noble lord had made an allusion to the probable supply of corn, which was a question into which he did not mean to enter. He should only observe, that those who had the best means of information would find it very difficult to come to any conclusion one way or another on such a point. He therefore thought that the less conjecture exercised on such a subject the better. He would not discuss the opinion of the noble lord, but this he might say, that if the noble lord's notion were well founded, no immediate advantage would be gained by the introduction of any measure on the subject of the Corn laws at the present moment. He would not then inquire whether the Corn laws had aggravated the evil of high prices; but he must repeat, that it was for him to exercise his discretion as to whether this was a time when the interests of the country required him to propose any measure relative to those laws.

Lord *Calthorpe* said, he had been induced to appeal to the noble lord on the danger which he thought must result from leaving the corn question in its present state; and on that point his opinion remained unaltered. The noble lord had told him that he might exercise his discretion in bringing the subject forward, but he well knew that no peer could expect a successful result to any attempt of that kind, unless he made it under the auspices of the cabinet.

Lord *King* observed, that great distress was experienced by the manufacturers, and that the approach of that distress must have been foreseen for some time. Yet, if any one asked what had been done, he would find that not the slightest step had been taken towards their relief. Last year a very limited bill, for a limited object, and a limited time, had been brought in. It would have been well if the noble earl had brought forward this limited bill again, and had given to its operation a more extended period; as that would induce the growers of corn in Canada to take measures to ensure a future supply. But, then, the noble earl ought to have done that at an earlier period of the session, before the arrival of a noble lord (Malmesbury) from the country. It had once been said, that there was a power behind the throne greater than the throne itself. In the same manner it might be said, that there was now a power in that House greater than the minister—" Multa gemens ignominiam plagasque superbi victoris—" of the conquering hero who won the field of the Canada corn bill. So great had been the exultation of the landlords in consequence of this victory, that he understood they were about to institute a club which would quite out-do the Pitt club. It would be called the Malmesbury club; and it was intended to commemorate the great event by anniversary dinners far more splendid than those of the rival association.

The Earl of *Malmesbury* admitted, that the present was not a proper time for discussing the Corn laws, but regretted that the landed interest suffered from the question hanging over them so long. He would oppose any alteration in the Corn laws; but though he had objected to the Canada corn bill, he had not opposed the bonding bill; and the bonding of corn was now a part of our system.

Ordered to lie on the table.

HOUSE OF COMMONS.

Tuesday, April 18.

Contempt of Court of Chancery.—Petition of W. Richardson.] Mr. *Hume* rose to present a petition from an individual named William Richardson, labourer, confined in the Castle of York, under the order of the lord chancellor, for a Contempt of Court. The case was, in his opinion, one of great hardship. It appeared from the statements contained in the petition, that the petitioner was a labourer in the county of York. In the year 1824, he had the misfortune to have a property of 600*l.* left to him, on which a mortgage debt amounting to 300*l.* had been incurred. The creditor of the estate, in which Richardson had only a life interest, foreclosed the mortgage, and the petitioner was committed to prison in contempt, for not having put in an answer to a bill filed by the mortgagee. The petitioner appeared to have no prospect or hope of relief, unless it were afforded him by the House. He found it impracticable to raise more than 300*l.* (the amount of the mortgage debt) on the property, and was therefore likely to be consigned to a prison for life, on account of his inability to discharge the costs which had been incurred in the course of the proceeding. On the petitioner's decease the property reverted to a minor, now aged seven years, who was also in prison. Under these circumstances, the petitioner could neither sell nor dispose of it in such a way as to extricate him from his embarrassments. He (Mr. Hume) was desirous of calling the attention of the secretary for home affairs to this case in particular, and to the subject of the Court of Chancery generally. It was with pain he saw the long-expected reforms in that court protracted from day to day. The House had heard a great deal of the good likely to result from the labours of the commissioners appointed to inquire into the practice of the Court of Chancery. These commissioners had at length made their report; but he regretted that it was now extremely improbable that any measure founded upon it could receive the sanction of parliament that year. From all he could understand of the probable duration of the session, he thought it impossible that a bill, which was not to be introduced till the 4th of May, could be passed during the continuance of the present parliament. He declared, he thought the greatest curse that ever fell on any nation was to have such a chancellor, and such a court of Chancery, as this country was visited with [Murmurs of disapprobation, and cries of Order, order].—He was ready to repeat his expression, which he thought fully justified by the system at present pursued in that court. That such a system should be permitted to continue was a disgrace to the lord chancellor, who had presided there for more than twenty-five years. It was a still greater disgrace to his majesty's ministers to allow such injustice as was occasioned by means of that court to desolate the land. It was not saying too much to repeat, that a court and a judge, which went to perpetuate such a system, were curses to the country. The petition concluded by calling on the House to pass an act to relieve honest and unfortunate persons, committed for a contempt of court, from the consequences of such committal.

Mr. *Lockhart* said, he was shocked, as he was convinced every other hon. gentleman must have been, by the language applied to the lord chancellor by the hon. member for Aberdeen. The delays of the court of Chancery were not attributable to the noble and learned lord who presided over that court, but to the system.

Mr. Secretary *Peel* said, he did not see the candour or justice of the course adopted by the hon. member for Aberdeen. It would have been only fair in the hon. gentleman to have given notice that he was about to present the petition when coming down to the House with such an accusation in his pocket. The hon. member was in the habit of using such unmeasured language, that it might seem almost useless to protest against it; yet he could not but protest against his present proceeding. To say the least of it, it was unfair to bring forward such a statement without notice of his intention, when it was possible that some satisfactory explanation of the circumstances might have been given. He did not pretend to be acquainted with the circumstances of the case to which the petition referred, and therefore he had it not in his power to explain them. The petitioner appeared to complain of an unfavourable decision—a thing by no means surprising in an unfortunate and disappointed man; but, as he was not acquainted with the circumstances in question, he did not feel called on to reply to the statements of the hon. member. It was not his intention to deny the hon. gentleman's right to present such a petition in the way he did; but he repeated his opinion, that it would have been only fair to have apprised the House of his intention beforehand.

The *Solicitor-General* said, that a judge, of any rank, was a person at least entitled to be treated with decency, if not with respect. He had not heard the expressions of the hon. gentleman, but it had been reported to him that the hon. gentleman, in the exercise of that privilege which, abstractedly, was certainly the right of every member, had said that the lord chancellor was a curse to the country. Now, he himself was a friend to the privileges of parliament; but, great as he wished its liberty to be—latitudinarian as he would wish its privilege to be—he must be allowed to say, that a greater curse than any lord chancellor could be to any country, would be that privilege, if, on an exparte statement, in the absence of any defence, in the impossibility of the party making his own defence, men of the highest station were to be denounced and hunted down in consequence of fulfilling a public trust. The case might be a strong one. Let the hon. gentleman in pursuing his motion, make that out: let him prove that this was a case which, on the face of it, carried marks of oppression and injustice, and then he might alter his opinion of the language which had been applied to the judge and the court of Chancery; though no circumstances could justify the use of such language even in that very strong case. To talk of a man as being a curse to his country, was to denounce him as being devoid of principle, of feeling, and of honour. But, indeed, to attack a man with such expressions behind his back, when none of his friends were present, or instructed either in the accusation or the defence which they might make when known, would, if drawn into practice, make that House the most grievous curse to the country.

Mr. *Grenfell* said, he was not in the House when the words which caused this discussion were used. If his hon. friend had stated, that the lord chancellor was a curse to the country, he had done that which was not altogether becoming in him, or any other member, to do. If his hon. friend had said that the court of Chancery was a curse to the country, he had stated that which no man conversant with the subject could deny. It was only stating the current opinion of ninety-nine men out of every hundred. And he would tell the House the reason he had for holding that sentiment. It was because, by the practice of that court, a rich man was enabled to oppress, injure, and ruin, a poor man. It was a mere engine of oppression; and constituted as that court was, it was not too much to say that it was a curse to the country. While he was up, he would take the opportunity of expressing his disappointment at the result of the inquiry by the commissioners. In looking at the report, consisting of a huge volume of seven hundred pages, he had experienced great disappointment. He did not see any thing proposed as a corrective (he mentioned it by way of example) for that practice which was known by the name of a fishing-bill. By filing a fishing-bill, any man, however wicked, might oppugn any member of that House, or the Speaker, or any other man of the most unblemished character; he might accuse him of all kinds of abominations and offences, even the most atrocious; he might depict him as the most depraved of all mankind. Truth was not necessary to the allegations: their very foundation was generally laid in fiction. They were instruments by which the most virtuous men might be tortured, vexed, and harassed, without redress; not for weeks and months, but for years—for the greater part or the whole of their lives. After having incurred the enormous expense of such proceedings, what was the remedy of the individual? Suppose the whole attempt of the party to be false, what was the result of enduring all this vexation, injustice, and oppression? Why, that the assailing party was merely subject to the payment of taxed costs. There was really nothing else to affect the man who had been guilty of such oppressive and scandalous misconduct. Now, though he did not think it was quite becoming in his hon. friend to have said of the individual at the head of the court of Chancery, and who ought not to be personally visited with all the vices of the system, that he was a curse to the country; yet, most undoubtedly, such a system as had been described called for and would justify the censure of that House. In this view, he heartily concurred with his hon. friend in thinking that the system and practice of the court of Chancery, in such matters as had been referred to, deserved to be visited with the epithet of being a curse to the country.

Mr. *Holme Sumner* said, that the hon. member who spoke last had spoken in modified terms of the present system of the court of Chancery. Not so, however, the hon. member who had preceded him, and who had, he would assert, made the most indecent, the most uncalled-for, and the most outrageous, attack upon the learned lord who presided in that court, which he had ever heard made in that House. This being his opinion, he thought the House would be deficient in its duty to its own dignity, if it did not call for some explanation from the hon. member, with the view of softening down the rigour of the phrase which he had ventured to use on the present occasion; and if, in failure of such an explanation, it did not by a specific resolution, express its opinion that such an expression was a violent and indecent abuse of the privileges of parliament. He begged further to state, that if the hon. member did not qualify his epithet, he, himself, would be the person who would move such a resolution, for the purpose of at least acquitting himself individually of the duty which was due to the learned person at the head of the court of Chancery, who ought to be protected from such a strain of abuse. The hon. and learned Solicitor-general had, indeed, said, with reference to the system of the court of Chancery, that the complexity of its practice was the fruit of the present complicated condition of the business of society. Now, he did not altogether concur in this opinion; for, however complicated were the concerns of society at large, he did concur with those who thought, that the delays which prevailed in some parts of the administration of justice were not only unjustifiable, but often ruinous to the aggrieved parties. The fault did not, however, rest with the lord chancellor: it rested as much with himself, and every other member of the House, who had neglected to introduce some remedial improvement in the system of the court, which had, for time out of mind, been defective. Indeed, so far from arraigning the lord chancellor in the way in which he had been arraigned for these imperfections, he thought it was a great blessing for the country, that it had a judge of his sound and enlightened understanding to administer a system which, in other hands, might have proved highly detrimental to the best interests of the community.

Mr. *Hume* said, it appeared that the language he had used with respect to the system of the court of Chancery, was considered as indecorous and improper. Now, on the contrary, he thought it perfectly applicable; and he begged that the hon. member, or the House, would, if they thought otherwise, order his words to be taken down; for he was ready to abide by them. Whatever might be the result of such a course, there were very few, he believed, out of that House, who would hesitate to say, that the court of Chancery deserved the appellation which he had directed against its system, and ought to be designated as a curse to the country; in point of fact, that it had been so for a very long time. How had he applied the epithet? The learned Solicitor-general was ignorant of the facts which the petition set forth, or he would not have made use of the observations which he had uttered, and supposed, contrary to what had occurred, that he had failed to make out a case of grievance. The facts which he had stated were these: The petitioner, a labourer, had unfortunately become possessed of a farm worth 600*l*., in which he had merely a life-interest, the property being to devolve upon his son. Here the hon. member re-stated the particulars of the petitioner's case, as he had described it in his opening speech, and then asked the House once more, whether the result had not proved most grievous for the petitioner, who was doomed, by the process of the court of Chancery, to linger out a miserable existence in a prison, like other unfortunate beings who were incarcerated for what were called contempts of court, some of them for their whole lives. Two had lately died who were in prison under these circumstances, one of them for twenty-nine years, the other for thirty-two years. And, when he thus spoke of the system of the court of Chancery, he begged not to be considered as referring to an insulated case, but to the system of that court. The learned Solicitor-general regretted that he had not paused to ascertain the truth of the petitioner's case. He had done so: he had referred to the respectable solicitor at Hull who drew up the case, and who had convinced him, that there was nothing supposititious about it, but that, on the contrary, it was a simple narration of truth, in which the poor man was left entirely without a remedy. And, when such a course was to be denounced, was it to be in measured language? When he had to speak of abuses, he was not a man to use milk-and-water language, or to designate them in any other terms than those which they deserved. If the lord chancellor was, in a great measure, the cause of these evils, was he to use milder terms towards him than to the system which he had tolerated for the quarter of a century during which he had presided in that court? It was in that way that he had put his argument. And how could he have done otherwise? He, of course, could not suppose that the lord chancellor was a man who had so little humanity in his bosom, as to be the willing inflictor of so much wrong; but still it was the conduct of his court which had occasioned it: and why, with all the power which the learned lord could wield, had these abuses been so long suffered to exist? He did not mean that the whole of this blame should lie on the lord chancellor's head: he assuredly desired that a portion of it should attach to that House, and more particularly to his majesty's ministers, who had so long permitted these abuses to be practised unrestrained and unprevented. He would again repeat, that—such a system was a curse to the country which was burthened with it; and if it was suffered to exist through the supineness or remissness of the head of the court, who had the power of applying a remedy, then he was at a loss to see how the same epithet did not apply to the individual so acting, as well as to his system.

Mr. *Sumner* said, he was certainly dissatisfied with the hon. gentleman's explanation; but he knew that, not having called for the hon. member's words to be taken down at the moment they were used, he had lost the opportunity of taking the matter up as a point of strict privilege. If, however, the hon. member still insisted, that not only was the system of the court of Chancery a curse to the country, but that the lord chancellor himself was equally so, then all he had to say was, that if the hon. member now repeated his expressions, he would certainly call to have his words taken down, and afterwards for the opinion of the House upon them.

Mr. *Ellice* said, that if the hon. member was desirous of having it repeated, that the administration of justice in the court of Chancery as at present constituted, and the manner of its performance by the lord chancellor, who administered its affairs according to this system, had become a curse to the country, he, for one, would himself indulge him with the repetition of that animadversion. It did not become members of that House, when describing the abominable and most vexatious proceedings of such a system, to soften down and qualify the epithets which it loudly called for [hear].

Mr. *Sumner* said, that lest the petition should contain expressions similar to those which had been used by the hon. member who had presented it, he would request to have it read by the clerk: for, should it be found to contain unwarrantable phrases of that kind, he hoped the House, for the sake of its own character, would not suffer such libellous aspersions to go forth from its table.

The Petition was then read, setting forth,

"That the Petitioner is a labourer, and hath heretofore been accustomed to earn his bread by the work of his hands, as a servant in husbandry; that in or about the year 1824, by the death of the petitioner's wife, he became seised for his life of an estate, consisting of about seven acres of land, with a house thereon, worth about 600*l.*, but subject to mortgage for 300*l.* and interest, lent by one Teavil Leeson, of Cave, in the county of York, on security thereon; and, after the petitioner's decease, the said estate descends in fee to Joseph Gardiner, the heir-at-law of the petitioner's said wife, who is now an infant, of the age of seven years, and also a prisoner with the petitioner in York Castle; that the said Teavil Leeson some time since gave the petitioner notice to pay in the said mortgage money, but the petitioner being unaccustomed to the forms of business, from the nature of his employment, and hearing no more about the matter, neglected to inquire about other money to replace it; that, in the course of a short time afterwards, some one gave the petitioner a nonsensical paper, about Richard Roe attacking John Doe, with swords, and staves, and knives, and turning him out of an estate, containing about seventy acres of land, with a great number of houses, barns, &c.; that, shortly afterwards, an officer of the sheriff of Yorkshire came and took possession of the said estate of the petitioner, and delivered the same to the said Teavil Leeson, when the petitioner learned, that the above nonsensical paper was a proceeding in an action of ejectment, in which the said Teavil Leeson had obtained a judgment, to take possession of the petitioner's said estate, and that the petitioner was also liable to pay the said Teavil Leeson a large amount for the costs of the said action; that nearly about the same time as the above-mentioned proceeding in ejectment was delivered to the petitioner, the said Teavil Leeson also filed a bill in Chancery against the petitioner and the said Joseph Gardiner for a foreclosure of his said mortgage on the said estate; that the petitioner was very anxious to raise the money to pay the said Teavil Leeson's said mortgage off, but found that the said Teavil Leeson would not accept the amount of his mortgage-money unless he was also paid the costs of the said ejectment, the costs of the said Chancery suit, and a small arrear of interest, amounting altogether to a large sum of money; that the petitioner was also willing to pay such costs and interest, but being a poor labourer, dependent on the work of his hands for his subsistence, and being deprived of the rents of the said estate by the said Teavil Leeson taking possession thereof; and the relations of the petitioner being also poor persons like himself, the petitioner had no means of raising the said principal money, costs, and interest, unless the same could be raised upon security of the said estate, for which purpose the petitioner made application to divers attornies, who informed him, that they had the money, and the estate was of ample value as a security, but that the petitioner could not legally raise more than the sum of 300*l.* previously charged on the said estate, because he had but a life interest in the said estate, subject to a mortgage for 300*l.*; and that the remainderman, Joseph Gardiner, could not charge the estate with a further mortgage for raising the additional sum, because, he being a minor, of the age of seven years, could not execute a deed of mortgage; that the petitioner, finding the principal, interest, and costs could not be raised by a security of the said estate, determined to put in such answers to the bill in Chancery, for himself and the said minor, as would enable Teavil Leeson to sell the estate, and pay himself the principal, interest, and costs, leaving the residue of the purchase-money for the benefit of the petitioner and the said minor; and the petitioner applied to several attornies for that purpose, who declined undertaking the said business, because, as they said, the expense of putting in such answers would amount, at the least, to between 20*l.* and 30*l.*, which they saw no prospect of the petitioner being able to pay, and which the petitioner was and is totally unable to raise by any means whatever, and that as to waiting for payment of their costs till the estate was sold, the attornies told the petitioner, that, although all the parties were willing it should be sold, and might try their utmost to obtain an order from the court of Chancery for the purpose, yet that it might be still some years before such an order could be obtained, and that there would be a great deal of additional costs and charges besides the answer, for all which the attorney would have to remit money to London, with but a distant prospect of re-payment, wherefore they all declined to be concerned in putting in the said answers, on account of the great risk of their being losers ultimately; that the petitioner next informed the said Teavil Leeson, through his attorney, of the situation he was placed in, and offered, if the said Teavil Leeson would supply the money for the purpose, that the petitioner and the said Joseph Gardiner would put in such answers as would enable him to sell the estate, and out of the purchase money to pay himself his principal, interest, and costs, and repay himself what he might so advance for the petitioner and the said Joseph Gardiner, putting in such answers as aforesaid, and to invest the residue of such purchase-money in such way as the lord chancellor might direct, for the benefit of the petitioner and the said Joseph Gardiner, but the said Teavil Leeson refused to do so; that the petitioner, and also the said Joseph Gardiner have been imprisoned since last November in York Castle, at the suit of the said Teavil Leeson, upon an attachment for a contempt of the court of Chancery, for not putting in answers to the said bill in Chancery, which they are most willing but unable to do, for want of money only; that the petitioner has been attacked with a violent fever since his imprisonment, during which he received every kindness from the persons intrusted with the care of the said Castle, compatible with his situation; but the medical man who attends the petitioner informed him, that he must get liberated, or his life would be of very short duration; that Mr. Thompson, solicitor, of Hull, has represented the above circumstances to the said Teavil Leeson, through his attorney, and again urged his consenting to the liberation of the petitioner and the said minor, or acceding to the plan above-mentioned, but the said Teavil Leeson has refused so to do; that the petitioner, therefore, sees no prospect but that of terminating his life in prison, and that the said unfortunate minor should spend the most valuable part of his life in gaol, from the present time until he be of an age when he may possibly raise the principal, interest, and costs, by a sale of the said estate, and release himself from prison, ruined in fortune, education, and moral character, unless parliament should, in the mean time, interfere; the petitioner, therefore, humbly prays, That the House will be pleased to pass an Act whereby honest but unfortunate persons committed to prison for Contempt of Court, who are willing but unable to clear themselves from that contempt, may be liberated from prison."

The *Solicitor-General* said, he did not rise to oppose the reception of this petition, but merely to point out, that nothing had been done in this case, according to the petitioner's own statement, but what was done every day by an hon. member of that House, who had to foreclose a mortgage and proceed with an ejectment cause; and yet this process which every gentleman's attorney had daily to resort to in cases of this kind, was to be made the frame-work of a bitter attack upon the lord chancellor, as if he alone had inflicted an unusual injury upon an individual, in administering a particular process of law. The fact was, it was not the court which had upset this man, but the lessor, who had directed his attorney to proceed to a decree against him. Why, then, did not the hon. member, instead of impugning the lord chancellor, attack the attorney or his client? The reason was, no doubt, not so much his sense of justice, as of gallantry, for he did not like to attack a female, and therefore he had refrained from casting any reflection upon Phœbe Leeson. [Repeated laughter, the learned gentleman having mistaken the name mentioned in the petition for that of a female.] Still, after all, he doubted much that the true reason was, that the petitioner failed through poverty in giving an answer to the process of law. What was to be done in the administration of justice, if a court of competent judicature had not the power to enforce obedience to its own decrees? How could justice be administered without such compulsory process? The man's case might not, indeed, have been heard, owing to his poverty; and no attorney could well be blamed for disregarding a client who had no money to pay his costs; still he doubted the story, for in the whole course of his experience, he never knew a man left without redress who showed a desire to do what was just and right in these matters of form, and he therefore suspected that there was a little obstinacy mixed up with this individual's poverty, and that he had to thank himself more than any body else for his present condition. On the whole, he must repeat his expression of condemnation, that such terms of abuse should have been levelled against a process of court, for an act which every gentleman of that House readily called upon his attorney to do for him, in the recovery of mortgaged property. He deprecated the use of such harsh language, as that such a process, and the judge administering it, were a curse to the country, This was a strong expression; and though little disposed to weigh by the scruple or ounce words which fell in the heat of debate, still he could not help complaining of this unjust vilification of the lord chancellor, for acting upon the old and recognized practice of his court, which, if wrong, it was not for him, but the legislature to alter. The court itself was not to blame for acting upon the system intrusted to it, until a better was provided for this administration; and he must say, with reference to the present petition, that of all the petitions which had ever been presented to that House for the purpose of endeavouring to vilify the lord chancellor, this exceeded them for far-fetched invective, gross calumny, and wanton falsehood.

Mr. *Baring* said, he was obliged to his hon. friend for having brought forward this petitioner's case, and drawn the attention of the House to the enormous abuses which prevailed in the system of the court of Chancery. At the same time, he regretted the introduction of any harsh epithets as applied to the head of that court, from their natural tendency to indispose the majority of that House from seriously considering the nature of the case itself; which undoubtedly seemed to call for dispassionate consideration. As to the noble lord at the head of the court of Chancery, if any grave cause of blame attached to him for the existence of those abuses, it must be that he had sat so long in his distinguished station, without calling for the application of a remedy, to prevent the occurrence of abuses which so attentive a person ought to have seen in frequent operation. He could of his own knowledge state instances of grievance which this system had inflicted. He had been applied to on one occasion, by two or three industrious people who lived in his neighbourhood in the country, and who held cottages and gardens, with a few acres of land. These they had agreed to sell to a person in a higher situation in life than themselves; but that person having possessed himself of their original papers, refused to fulfil his part of the contract. These poor people applied to him for advice how to act: not being well versed in the law, he went to a respectable attorney, and begged he would do what was right for these people; but the attorney, after inquiring into the particulars of their case, fully admitted the justice of their complaint, and that redress could be obtained by filing a bill in chancery; adding, however, that before he could take three steps in their cause, away would go the little cottage and garden with the expenses of the suit. Such was the grievous condition of chancery proceedings; and surely it was of importance for the House to consider their nature and tendency; but he agreed that this should be done dispassionately and without any intermixture of personal reflections. While upon this subject he must confess, that, in looking through the report of the chancery commissioners, he was sorry not to have found even the suggestion of a remedy, nor any endeavour to have some summary process afforded for the settlement of small matters of property which fell into litigation. It was quite notorious that no man could afford to seek equity for any sum under 1,000*l.* or 2,000*l.* He really wished to hear no harsh names applied to these transactions; but the existence of such facts was a reproach and disgrace to the administration of justice in the country.

People of small property could not venture upon this mode of redress, and any man of common sense must feel that the nuisance of such a state of things could not be palliated. To file an answer to a bill in Chancery would, he was informed, cost the party about 20*l.*; and, if the man who was perhaps wantonly dragged by a litigious person into such a predicament, was unable to afford this expenditure, he must be in what was called contempt. After all, when it was notorious that equity could not be safely sought for property which did not amount to more than 500*l.* or 600*l.*, he hoped that the attention of the House would be seriously called to such notorious evils.

Mr. Secretary *Canning* said, that he had to confess the same ignorance as the hon. gentleman who had last spoken, of mere points of law; but really he must say that, for the purpose of this petition, the discussion which had taken place was quite irregular and uncalled-for. The preamble of grievances in the petition set forth, that the evil lay in the court of Chancery, but one half of the subsequent matter applied equally to process issuing from any of the courts of common law. The man had refused obedience to a process which had been duly taken out against him, but of the effect of which he pretended ignorance, by remarking, that the piece of parchment referred to the affairs of one John Doe and Richard Roe, and mentioned staves and knives, and such nonsense. This notification he admitted he had treated with great contempt; and for so doing he had entailed upon himself the further proceeding of which he had complained. Now, all this would have happened in any other court as well as the court of Chancery. What, then, became of the general argument? Why, nothing but this, that legal proceedings inflicted pecuniary penalties, and that the rich man must always, in such litigations, have an advantage over the poor man; and this must, from the nature of things, continue, not only in this but in every other country which had laws to administer: and a grievance it was so far for the poor man; one, too, carrying with it the painful conviction, that it was impossible for the wisdom of man to devise any remedy against its operation. The only inference that could be drawn from the speech of the hon. gentleman was, that the court of Chancery, and the judge who presided there, were both corrupt. This was a gross injustice: it was as unfounded as it was unfair; and if any man thought he could remedy abuses by pursuing such a line of conduct, he was grossly mistaken. Such a system of attack was not the proper course to pursue, if gentlemen wished to remedy the evils of the court of Chancery. It was not by slanderous and unjust imputations that such a consummation could be effected—imputations which were not only discreditable in their import, but were unworthy of a man of honour to utter. And what, now, were the statements contained in that petition? The petition stated that the child was imprisoned with his father. One would have thought that this had been an error in the drawing up of the petition, for the thing was so utterly absurd that it would be a libel on the judgment of every individual to suppose that such a thing could have happened. But when the hon. gentleman seized upon this imaginary circumstance for the purpose of pursuing and strengthening his attack, it was right that this ground of objection should be removed, although he was sure that the good sense of the House did not require any explanation on an objection so evidently founded in error. The simple and only construction which the passage in the petition admitted of was this—that when the man was a prisoner, his child was with him. This was the sole meaning of the sentence; and he defied the ingenuity of the hon. gentleman to give it any other construction. It was one thing, therefore, to say that the child was a voluntary partaker of his father's imprisonment, and another to state that he was also a prisoner for contempt of court. So much as to the first half of the petition; and, as to that portion of it which related equally to the courts of Common Law as to the court of Chancery—to the latter portion of it, that which exclusively referred to the court of Chancery, and personally to the lord chancellor, he would now more particularly address himself. As to the tirade which had been pronounced against that noble and learned lord, every syllable of it could, with equal truth and fairness, be made to apply to the chief justice of the King's-bench; and every part of the declamation which had been poured forth against him could quite as well be launched against any of the other judges. The whole gravamen of the offence consisted in this—that the lord chancellor was the party to whom it was imagined the acts in question could be attributed. Suppose, however, the petition had come from the opposite party—suppose the complaint was the very reverse of what it actually was. Suppose the other litigant had stated, that he had tried for a remedy at law, and could not obtain one; that he had then gone into equity, that he had filed a bill, that the defendant had refused to put in an answer, and that the whole of these delays and difficulties were attributable to the lord chancellor. He entertained not the slightest doubt that, with such a petition, the very reverse of that then under the consideration of the House, the hon. gentleman opposite would have found means to effuse precisely such another stream of vituperative declamation as it had then been his pleasure to pour forth against the presiding judge in the court of Chancery, because, forsooth, he had not been able to find a remedy for the alleged grievance. Much as he (Mr. Canning) might wish to see those grievances remedied, he thought the House would concur with him, that the most effectual mode of accomplishing that object was not by vituperation against the lord chancellor personally, but rather by the efforts of competent persons, directed to the removal of acknowledged evils, and the correction of defects, respecting which no difference of opinion existed, but for the origin and continuance of which the present lord chancellor was as little responsible as any other judge in the land. It was fully as just to bring forward the present accusations against him, as to say that, because the system in the court of King's-bench was in many respects imperfect, therefore, the lord chief justice was culpable and corrupt. There would be quite as much fairness in saying that he, called on to administer a system which he had not created, was "a curse to the country," as to apply that language to the lord chancellor. The same was true of all the other courts. The remedy for the evils complained of was not to be found in increasing vituperation of that noble person. To think so was a great mistake. If gentlemen imagined, that such measures would have the effect of removing him from office, they would find, to their disappointment, that its only result would be that of rivetting more strongly than ever the hold which he possessed on the confidence of the Crown and the country.

Mr. *John Williams* commenced by disclaiming the slightest feelings of personal disrespect towards the noble and learned lord who presided in the court of Chancery, in whom was blended a great and singular mixture of the courtesy of the nobleman with the dignity of the judge. He was most willing to admit that the noble and learned lord could not be surpassed in those amiable qualities by which he was distinguished; and, to use the words of the noble and learned lord himself, in alluding, on another occasion, to a no less gifted individual, "he wished him well wherever he might be." [hear, and a laugh.] But while speaking on the subject which had chiefly given rise to the present discussion—he meant the unlucky monosyllable which had spread so much alarm on the opposite side of the House, and had even caused the hair of his hon. and learned friend, the solicitor-general, actually to stand on end,—he begged leave for himself to adopt that monosyllable, and to repeat it if requisite. That the court of Chancery was a curse to the country, could not be denied. He did not wish to anticipate the general question respecting the court of Chancery which his hon. friend (sir F. Burdett) meant to introduce, by following up the present discussion; but he could not but observe the inconsistency of conduct adopted by some gentlemen on the present occasion. What said the hon. member for Surrey? Why, that the lord chancellor was not to blame for the delays and abuses which were so notorious in his court. Where, he would ask, was the vote of that hon. gentleman when the abuses of chancery were discussed in parliament in the session of 1823? Where was that hon. member's vote when the question was discussed at a still later period? Was it not notorious that this House had declared, by repeated majorities, that the abuses in chancery should be investigated? And the only difference of opinion which existed on the subject was, with respect to the time which would be requisite to investigate the proceedings of that court, with a view to correct the abuses which might be found to exist. As deliberation might be said to infuse its effects into all the proceedings of chancery, it was natural to expect that a sufficient time would be demanded; and accordingly a convenient pause was granted, in order to give the commission the fullest opportunity of investigating the entire system. "We will have," said the right hon. Secretary for the Home Department, "no interruption to our proceedings—we will not languish in our duty—we will despatch the business—and will only ask two years for the purposes in which we are engaged." "Give me," said the right hon. Secretary, "a commission—a commission of our own choosing, at the head of which the noble and learned lord shall sit in judgment on himself" [hear]. Such was the committee, which, after infinite labour, was at last appointed; and the right hon. Secretary now came forward with his pocket commission, and a report, which, from the number of pages it occupied, and the quantity of matter it contained, no one would have patience to read. He could not but consider it a little extraordinary, that although nearly three years had been allowed for remedying the abuses of the court of Chancery, it was still suffered to remain a nuisance to the country; or, to adopt the short and expressive monosyllable which the patients of that court had themselves adopted, that it should continue "a curse." He was aware that the term was not the most courteous, and that it might perhaps offend the noble and learned lord to whom the term might seem to apply. But even if that term had been uncalled-for—even if the attack were unjust—whether it was contained in a lengthened speech, or confined to a single monosyllable, the friends of the noble and learned lord, and the country in general, need not be alarmed. There was no cause to dread the effects which would be produced by the attack, for the noble and learned lord against whom it was aimed, was determined to brave his enemies to the last, and had long since made up his mind to quit office and life at the same time [hear, hear]. Panegyric or abuse would neither defer nor hasten the consummation of that event—that final stopping of the breath—that complete and cureless overthrow of his capacious and marvellous mind. Let it not, therefore, be feared that praise or censure would at all operate to produce an effect so fatal and alarming; for the noble and learned lord was not so easily vanquished. He did not wish at present to enter into the question more fully; as another opportunity would be afforded him of stating his opinion at length. He had no wish to go through the report, or to consider the propriety of the hundred and ninety thousand suggestions for improvements which it contained. He should only observe, in concluding, that he was prepared, not by declamation, but by proofs: not by monosyllables, but by facts: not in generalities, but in detail—to show the practice of the court of Chancery, and to show, at the same time, that that court was placed in the predicament of depriving persons of moderate fortune from obtaining justice, and thereby of violating the first principle of our laws, which said, that right and justice should not be delayed, nor denied, to any one.

Mr. Secretary *Peel* observed, that, from what had fallen from the hon. and learned gentleman, it was quite plain that no report, however pleasing, would have given him satisfaction. Indeed, so prejudiced was the hon. and learned gentleman, that he could not see the difference between 190,000 and the 190 suggestions of improvement which the report contained. For himself, he thought it most extraordinary that because improvements had been suggested, the court of Chancery should be run down. The hon. and learned gentleman complained that the report was unwieldy and voluminous. Did he forget that this was his own suggestion? When the commission was appointed, did not the hon. and learned gentleman say, "I hope you will give a full and ample report?" Nothing at that time would satisfy him but a full report. His suggestion was adopted; but when the report was brought forward, what did he say? "It is too voluminous, we can never get through it." Such was the spirit of justice displayed by the hon. and learned gentleman. The hon. and learned gentleman seemed to complain of the delay which the measure occasioned. Long before this time the evidence was placed in the hands of the printer of the House of Commons, in order that those members who might have been interested in the measure, should have an opportunity of inspecting the progress which had been made. Yet this was the return of the hon. and learned gentleman, by whose desire the evidence had been printed. Why was the report voluminous? Because every person who had a complaint to prefer, every country solicitor who might offer an objection against the practice of chancery, was invited to state his grievance and propose his remedy. With respect to the present petition, he thought the House should wait to hear from the attorney employed on the other side, who might give a new version to the story. It was unjust to attend to an ex-parte statement; and he for one was free to confess that he did not believe the case which the petition detailed. The hon. gentleman admitted that a solicitor drew up this petition. Yet could it be credited that a professional man would have set down such silly stuff as that relating to "John Doe and Richard Roe," and "staves and bludgeons?" It would certainly require no ordinary stretch of faith to believe that a man, who at all understood his business, would have so committed himself; and they only who were possessed of "that charity which believeth much," could give credit to the tale. The petitioner said, that he offered 300*l.* to obtain his liberation, but the party to whom he was opposed had refused the offer; and then the man was committed for contempt of court. Had he tendered, however, with the 300*l.* the expenses of the suit, he might have had his liberty without further trouble. If the petition should be ordered to be printed, he hoped that an opportunity would be afforded to the party on the other side to state their case; and he believed that, from that statement, the whole case would be materially altered.

Mr. *Brougham* considered the report to be, in one sense, too long, inasmuch as it occupied eight or nine hundred folio pages, although in another sense he considered it too short. He did not, however, now mean to enter into any discussion upon the subject, further than to say, that its omissions were numerous and palpable, and that, though the volume was bulky, it was any thing but full of information. Many answers were given, which the parties giving them must have known to be imperfect, and explanations were withheld which rendered the evidence any thing but what it ought to have been. In proof of this he would just state one instance. A question was put to one gentleman, and he was asked if three persons could do the business of the court of Chancery? and his answer to that was "no, certainly, nor three angels." Now, surely, every one must see that such an answer should have been followed up, and then, perhaps, the House would be able to ascertain what it was that neither three men nor three angels could perform. Another gentleman was asked, if it were competent for any man devoting six hours a day of every day to the business of the court, and the court lending all its attention to that business, whether, in such a case, one man could discharge the business, and the answer was—that one man would be utterly incapable of getting through it. Here again, would not every man see that this answer must suggest another very obvious question; namely, "did any body devote six hours of each day, and lend all his mind to the business of the court?" There were other instances of the same description, which shewed that a difference of taste upon the bulk and value of the report might be entertained, without any charge of unfairness on the one hand or the other. For his own part, he would only say that the report was very bulky, but at the same time, very defective and meagre.

Mr. *R. Smith* defended the conduct of the commissioners, who felt it their duty to present as ample a report to the House, as they could possibly prepare.

Mr. *Hume* said, that after patiently listening to all that had been urged on the other side of the House, he saw no reason to think that he had over-stated the evils of the court of Chancery.

Ordered to lie on the table.

State of the Corn Laws.] Mr. *W. Whitmore* said, that in rising to bring forward the motion of which he had given notice, relative to the present state of the Corn Laws, he felt the great weight of responsibility he incurred in agitating a question of such magnitude and importance. He was aware how much he had to contend with prejudice; he was aware how exaggerated were the hopes of one party, and how extravagant were the alarms of another, as to the issue of this question. The present moment was one of considerable distress; and, when he reflected that the question related to the supply of food, he felt that it required to be treated with the utmost delicacy. At present, obstructions were interposed in the way of that supply by law. These obstructions he wished to have removed, but he knew well that inconvenience and danger might accrue from any extensive change in the internal policy of the country, however beneficial it might ultimately prove. He knew, too, that the agricultural interest was one for which the House had always deservedly manifested the strongest predilection. The individual by whom it was unnecessarily disturbed, would incur and deserve the severest measure of reprobation which the House could fix upon him. It was, therefore, with feelings approaching almost to dread, that he should proceed to lay the subject before the House. He was decidedly convinced of its importance, and he thought the time was come when the change was imperiously called for. Great advantage, he believed, would be derived from the measures he contemplated. He would proceed with as much brevity as the subject would admit. It was so vast and complicated, embracing such a variety of considerations, and involving so many interests, that it was difficult to compress it within the limits by which he wished his address to the House to be bounded.

The first point of view in which he would consider it, was in connection with the question of free trade. He trusted it was altogether unnecessary for him to dwell on the great importance and advantages of the principles of free trade; but he must implore the House to reflect whether they could in consistency, in sound policy, or in justice, refuse to carry those principles into execution with respect to the trade in corn? If they did, they would make themselves the laughing-stock of the world, instead of an example to be imitated by all other nations. It was morally impossible for his majesty's government, or that House, with any shew of justice, to stop in the liberal course on which they had entered. What, in such a case could they say to the silk weaver and the glover, complaining of the injurious results that had accrued to them from the competition of foreigners? In the first instance, the application of the principles of free trade would frequently prove temporarily productive of evil. A great deal of capital was directed into new channels, and a great deal of machinery rendered useless. Fresh improvements became necessary, in order to enable the manufacturer to keep his ground in the foreign market. These consequences had been lamentably evinced in the instances to which he had alluded. Surely, then, a just alarm existed on the part of those who had been so seriously affected by changes in which their interests had been immolated on the shrine of national advantage, that the principles by which they had suffered should be carried further. Government were pledged to carry those principles into complete execution; the House was pledged—every man who had voted in the majority of the division on the silk trade question this session, was individually and personally pledged—to this course. As to the question of free trade, parliament had pledged itself expressly to the principles of that policy. With what colour of justice or policy could the House now turn round and say, "We have deliberately sanctioned these principles, but we will not proceed to apply them to other and greater interests." He did not mean to say, they could do without a system of reciprocity; but it was a system which was generally confined to a few articles. The effect of which was to raise up some few trades at the expense of others; and being founded on treaties of commerce, its advantages were contingent, at best, upon the policy, but more frequently upon the caprice, of foreign nations; and, therefore, it was a system which he could not regard with much confidence or satisfaction. But he was convinced that, if England would really and truly act upon principles of free trade, and extend those principles to the trade in corn and in sugar, it would be sound policy. He should then be an advocate for free trade, if its principles were carried to that extent; but he was not an advocate for free trade, when the principles on which it was founded, and which were now pursued, were partial in their operation [hear, hear!]. But to revert to the principles of reciprocity: if it was expedient, as he thought it was, to adopt the principles of free trade, and that England should lead the way, it was clear that foreign nations, for their own security, must be compelled to follow the example; and he must take leave to say, that no question had ever come under the consideration of the British parliament in which foreign states were more deeply interested than that to which he now prayed the attention of the House. The Corn law, which we passed in 1815, had inflicted upon foreign countries—upon Poland, Germany, Flanders, and America,—a greater evil than the anti-commercial, anti-social, system of even Buonaparte himself. He held a report in his hand, stating the view of a most respectable individual, who had been sent out, very laudably, by the government, to those countries, to collect information on this important subject; and that information, so collected, fully bore out his assertion. The statement of this individual fully bears out the assertion, that England, professing to act upon liberal principles of commerce, and calling upon other countries to adopt her principles of free trade, had passed a law, the most extravagant that ever was submitted to an enlightened legislature, which law inflicted upon those countries a greater evil than even the Milan decrees. He trusted the House would allow him to read a few extracts from the report of Mr. Jacob, the individual he had just alluded to, and the more especially as the report was not in the hands of the members generally. That was not his fault; he was extremely sorry for it; and could he, with any degree of propriety or consistency, have postponed his motion, he should have been happy to have done it, in order that the information collected by Mr. Jacob might be in the hands of every member of the House. However, as that report was not in their possession, he begged permission to read a few extracts. Mr. Jacob visited Dantzic, Cracow, Warsaw, Austria, Bavaria, and returned by way of Paris to England; and he should first mention a passage in that gentleman's report, the first, indeed, which bore upon that important part of the subject—namely, the source from which we drew our supply of food. Mr. Jacob said, "he had found every where the land-owner and corn-merchant in the deepest distress; and this distress was too general, to allow the suspicion that it was not well founded." In the course of the last year he (Mr. W.) had stated to the House, that there was a falling-off in the quantity of corn produced; and he had also stated, on good authority, that a considerable change had taken place in the state of culture in Poland. Mr. Jacob states, that "whole tracts of country, which had heretofore been employed in the production of corn, were now turned into pasture for sheep, or left wholly neglected, the former occupiers and renters having been completely ruined. One nobleman" he says, "who farmed his estate of 26,000 acres, of which two thirds was tillage, and one third woodland, grew but a few acres of wheat; and, of late, had sold no corn of any kind. From the ports of England being shut against corn, he had turned his attention to the production of fine wool. On this estate there is a flock of 15,000 Merino sheep, yielding on an average two and a half pounds of fine wool, the annual sales of which amount to one half more than the value of the sheep. Through the five winter months, the sheep are fed with corn, chiefly rye, at the rate of one pound per day, which is estimated to be equal to three pounds of hay. The proprietor calculated, that sheep thus kept, yielded nearly as much more wool as, added to the benefit which the manure of the animals received from that kind of food, was equal to the price he should have received for the corn, if he had sold it; and that the profit, on this system, was the value of the whole of the hay, which would have been otherwise consumed. Instead of selling, he finds it more profitable to buy corn." At the time Mr. Jacob saw the lands, there were not two acres of them under grain.—He would not pursue that extract further, but would turn to another part of the report, which spoke of the change which had recently taken place in rents, and the general value of land, in some of the foreign corn countries. Mr. Jacob observed, that he was informed that the value of land in Poland had been greatly reduced. Those lands had formerly been let at from eightpence to fourteen-pence per acre, but at the time he saw them, even those small sums could not be obtained for them. "One instance," he says, "came under my own observation. The proprietor of a large domain had let a farm, consisting of about 7,000 acres, on a lease, for the usual term of six years, at a rent of 850*l.* That lease had expired just before I visited the place. The tenant had lost a great deal of his property, and the peasants had diminished in number; and a new lease had been taken by the same tenant, for no other could be found, at the rate of 170*l.*" He could, were he to pursue the extracts, give abundant evidence of the great extent to which the cultivators of corn had been reduced in those countries by the shutting up of the English ports. This was a part of the subject to which he would again advert before he sat down; for it was worthy of the most grave consideration, as was another directly arising out of it; namely, the difficulty which might hereafter exist, in case of unforeseen scarcity, of procuring a sufficient supply of food for the people.

But before he came to this part of the subject, he begged to be allowed to show, that, without reference to the question of free trade as a general principle, this country had enjoyed and thriven under what might be virtually termed a free trade in corn. He would not go further back than the year 1773. From that year to the year 1815 the trade in corn continued free, or at least subject only to so low a duty as scarcely to deserve the name of restriction, the duty to which it was generally liable not being more than 6*d.* the quarter. He did not mean to deny that we had at all times a Corn-law; but it was a law from the period he had just mentioned, by which only a very low amount was charged. Thus there were, by the act of 1773, three scales of duties, one high duty, and two low. The high was 24*s.* 3*d.*, which was charged on foreign corn only when corn was in the home market as low as 30*s.* When it came to 44*s.*, the duty of 2*s.* 6*d.* was charged; and when it rose to 48*s.*, the duty was only 6*d.* From this period, however, until 1791, the price of corn at home continued so low, that only the low duty, and more frequently the lowest one, of 6*d.* was charged. In 1791 an alteration took place. The first duty continued as it was before, but the second of 2*s.* 6*d.* was to be charged when corn was at 50*s.* When it came to 54*s.*, then foreign corn might be imported at a duty of 6*d.* Again corn rose, and the low duties came into operation. So that with the exception of two years from this period to 1804, foreign corn might be imported at 2*s.* 6*d.*, and more frequently at 6*d.* duty. In 1804 the highest duty was laid on the import of foreign corn, when our own sold at 46*s.* the second duty at 60*s.* and the lowest at 66*s.*; but the price at home continued so high, that from that period up to 1815 the low duty was charged. During this period, from 1773 to 1815, what had been the progress of the country, in arts, manufactures, in commerce, in population, and in wealth? Had she not made advances in all these, unexampled in the history of nations? Was there any nation in the world which had made advances to general commercial prosperity with equal rapidity? Was he not, then, justified in saying, that a free trade in corn, or what was almost equal to a free trade, might be carried on without injury to the agricultural classes? For, let it be remembered, that waste and poor lands were yearly brought into cultivation. These considerations went a great way on the question; and, if maturely considered, would tend to allay the alarms of those who feared that the power of importing corn at a low duty would throw the poor lands out of cultivation, those very poor lands which were brought into cultivation when foreign corn was imported at a duty merely nominal. If the agriculturist was uninjured, and not merely so, but in a thriving condition during foreign importation, what reason was there to fear that it would be otherwise at present?

He now came to another part of the question, which he approached with great reluctance; but it was necessary that he should come to it, in order more clearly to point out what he considered as one of the greatest evils of the present system. He would lay it down as a position which he should be able satisfactorily to prove, that the Corn-laws of this country had not only destroyed the external trade in corn, but had given a blow to our internal trade in that article, from which, if timely remedies were not provided, it would be difficult, if not altogether impossible, for it to recover. He knew he should be told that he had already predicted very fatal consequences as likely to flow from the want of a free trade in corn. He had so. He stated it in 1823; he stated it in 1824; and he now repeated the statement, that, unless some change was made in the present fatal system of our Corn-laws, the country would, at some day, have to deplore the unfortunate result of them. He did not say at what time [a laugh]. If the House did him the favour to hear him to the end, they would find that his assertion was not made on light ground, but rested on a very strong case. In 1823 he had predicted, that very serious and dangerous consequences must almost necessarily follow from the continuance of the present Corn-laws. The data on which he then went were most correct; and the more he considered them the more was he convinced of their accuracy. It would not, of course, be expected that he should point out the exact time when these results were to happen. It would be sufficient if he showed that the direct tendency of the Corn-laws, in their operation on the external and internal corn trade of England, was, to produce an insufficient supply, should there be unhappily a failure of the home crops even for one season. The general practice of the corn trade at home was, to reserve a stock on hand. This stock might, on the average, be calculated at four months consumption of the whole country, or about four millions of quarters. He took the general average of consumption of the year, at twelve millions of quarters, and adding a million for seed, the whole annual consumption might be taken at thirteen millions of quarters. Now, a country setting out with this stock of four millions of quarters on hand, and having a corn trade by which it was made to depend almost wholly on its own supply, might at no very distant period be so run out as to have that stock exhausted. The advantage of having the stock at all would be, to make the surplus of one year meet the deficiencies of another. Those surpluses were in general reserved by the speculations of persons extensively engaged in the corn trade, whose utility to the country was very considerable. Now, if circumstances occurred which should cause the leading speculators in corn to decline the trade, they would have the effect of causing a gradual diminution of the stock in reserve, as the same care would not be taken to provide for an apprehended scarcity. It was this system which Adam Smith had so beautifully described as exhibiting the harmonious operation of the commercial system; by means of which, the private interests of individuals, the more they were exercised, the more did they conduce to the general prosperity of the community at large. But the effect of our Corn-laws, he would show, has been, to depress the general interest, and ruin the individual trade. In the first place, it was quite manifest, that if there was a constant depression of prices, those who speculated in grain must necessarily lose; and, indeed, the enormous losses which had been sustained was matter of notoriety to every one at all acquainted with that branch of our national industry. He would state to the House the average prices of the quarter of wheat from the year 1817:—

In 1817 the price was . 94*s*. 0*d*.
1818 . . . 83*s*. 8*d*.
1819 . . . 72*s*. 9*d*.
1820 . . . 65*s*. 10*d*.
1821 . . . 54*s*. 3*d*.
1822 . . . 43*s*. 3*d*.

It was needless to go further; the consequence of this depression was, that the corn-dealer was a constant loser. From 1823 to the present time, prices began to rise, but the government, he was sure, had never contemplated, nor had he, nor had any man in his senses contemplated, that the principles of free trade would have been adopted in every other commodity, and would not be carried into effect with regard to corn. Besides the effect of those losses, there was another cause which made the corn-merchant disinclined to speculate; namely, his apprehension of a change in the present Corn-laws, from a conviction of the necessity of such a change, and a belief that ministers could not continue much longer to allow such a system to disgrace our commercial regulations. Another reason which lessened the speculation in British corn was, the quantity of foreign corn allowed to be bonded here, and the great difference between the prices of the two. Corn in bond might be bought at from 20*s*. to 30*s*. while that in the market could not be bought for less than 50*s*. 60*s*. and 70*s*. Of course in the uncertainty as to what might be done about granting a free trade, a merchant would choose rather to speculate in the article which was cheapest; because, if a change took place in the Corn-laws, his speculations in the cheap corn would be successful, while in the high-priced corn they would be ruinous. He had made inquiries on this subject from some of the most respectable persons in the corn trade; and he was assured by them, that, from the causes he had mentioned, the speculations in corn were few, and to a very small extent, compared with what they were in former years. All those with whom he had consulted seemed to be firmly convinced of the truth of the position with which he had set out; namely, that the operation of the Corn-laws of this country had not only destroyed the external trade in corn, but had given a blow to the internal trade in that article, from which it would with difficulty recover; but from which there was no chance of its recovery, if the laws were allowed to remain in their present state. Now, if this was so, we might come upon a period of positive deficiency in the harvest; and what then would be the situation of the country, when, from a change in the culture of land abroad, we could not hope for any supply from those places to which we usually had recourse in times of difficulty? He trembled to think of a scarcity of human food under such circumstances. He did not mean to say that such an event was to be expected immediately. That would be too bold an assertion for any man to hazard; but he did confidently state, that we were now in a situation in which a sudden deficiency of even one harvest might be attended with most disastrous effects. The stock in the hands of dealers was, he had reason to believe, very low. As to the farmers, he would admit he knew little about them; but any thing that was known of their transactions in corn afforded no proof that the stock in the country was not low. It might, and he hoped it would happen, that the approaching harvest and the next after that might, by abundant crops, considerably add to the stock in hand; but still we should be in a state, living as it were from hand to mouth, and placing ourselves in circumstances of great peril, which would be increased every year that we allowed to pass without a change in our present system of Corn-laws. It was morally impossible to alter a trade which had been carried on for several years without inflicting an evil which would be deeply felt by hundreds and thousands! and the House might rely on it, that, if circumstances should occur (and occur they undoubtedly would, though he would not say when) to render it necessary to have recourse again to the trade in foreign corn, they would have deeply to deplore the blow which that trade had received by the Corn-law of 1815—the most absurd, the most barbarous measure, and the most opposed to principles of sound commercial or national policy, that had ever emanated from a legislative body calling itself enlightened. The only hope he had of seeing a speedy termination to this absurd system was founded on its absurdity; for he thought it impossible that the people of England could continue much longer to sanction a law so pregnant with danger to their best interests. It was still possible to avert this danger; but it could be done only by a speedy alteration of the law. If that were not done, he feared they would live to regret the consequences.

He would now come to the alteration which, in his opinion, ought to be made; and, without going into all the details which might be necessary if a bill for the alteration were before the House, he would suggest, that a protecting duty of 10*s.* per quarter should be allowed, conjointly with another, but a temporary, measure, increasing that duty if the price in the home market should be at once considerably reduced. He would suppose the price in the market 55*s.*; the general and permanent protecting duty would be 10*s.*; but the temporary measure would have the 10*s.* increased to 15*s.* on foreign corn, when English wheat was at 50*s.* When at 45*s.* he would increase the duty to 20*s.*; and when corn came to 40*s.* he would have the duty 25*s.* It would undoubtedly be most desirable that every means should be adopted for preventing an alarm among the agriculturists. He knew that the very mention of opening the ports would create such alarm; and he would therefore provide a temporary measure for their security, until the chance of returning to a free corn-trade was in progress. It was with this view that he would recommend the higher protecting duties for a short period. This would be the more necessary, as the Corn-laws of this country had produced restrictions on the corn-trade in other countries. This was the case in France, Spain, and Portugal, the markets of which, when our ports were shut, were glutted with an immense quantity of corn which would otherwise have reached our ports. A sort of corn-law was therefore enacted in those countries in their own defence. Now, to prevent even the chance of a sudden glut from coming into the market while the change was being made, and to allay the fears of the agriculturists, he would give the higher duties as a temporary measure. He thought it a main object that the change should be effected with as little alarm as possible.

The agricultural interests said, that if the ports were thrown open, we should be deluged with foreign corn. He thought he should be able to show that this could not possibly be the case, by a reference to the amount of the importation of foreign corn at former periods. Indeed, he was convinced, that the quantity of corn which would be imported into this country if the ports were to be opened would not be large. He would proceed to show what had been the importation of foreign corn from the year 1800 to the year 1820, and he had selected this period, because, during it, the importation had been larger than at any other: indeed, during five years of it, a very great scarcity prevailed, which caused the prices to rise to an enormous amount. In 1800, the average price was 110*s.* 5*d.*; in 1801, it was 115*s.* 11*d.*; in 1810, it was 103*s.* 3*d.*; in 1817, it was 94*s.*; in 1818, it was 83*s.* 8*d.* The consequence was, that we had corn sent to us from every quarter of the globe. The quantity of foreign wheat imported from foreign parts to this country during the period he had alluded to was as follows:—

	Quarters.
1800	1,263,771
1801	1,424,241
1802	538,144
1803	312,458
1804	391,068
1805	836,747
1806	207,879
1807	359,835
1808	41,392
1809	387,863
1810	1,439,615
1811	188,563
1812	129,867
1813	341,846
1814	626,745
1815	194,931
1816	210,860
1817	1,030,829
1818	1,586,030
1819	471,607
1820	591,731
	12,577,029

During the five years of scarcity, between 6,000,000 and 7,000,000 of quarters had been imported, which was half as much as had been imported during the whole twenty-one years. From this statement the average annual amount of corn imported appeared to be 598,906 quarters, and the average price 84*s.* 6*d.*; and it must also be recollected, that this price was estimated in a currency which was depreciated during this period, and that until the year 1815 there was in reality no obstruction by law as to the importation of corn.

He had also examined into the different sources from whence the foreign corn was drawn, which would show that it was only the very high price which had induced the richer countries to afford us any abundant supply. The annual average amount of wheat imported into this country, from the year 1800 to the year 1820, was as follows:—

	Quarters.
Russia	66,373
Sweden	12,275
Prussia, including Poland	204,667
Germany	87,092
United States	87,376
Canada	23,040
Holland	40,033
Flanders	29,530
France	23,071
Denmark and Norway	18,956

But if there was not proof sufficient in that statement to satisfy the House of the difference in the exportation of grain between a rich country and a poor one, it would be sufficient to look to the average importation of France, the richest country, during the years alluded to. If they deducted from the importation of France in twenty years the amount of the year 1810, there appeared to have been imported altogether 225,710 quarters, which would make an average of only 12,322 quarters. From Germany, too, the next rich country, if the deducted the amount received in the years of scarcity he had mentioned, the average was only 42,861 quarters. So that it was the poor country, and the poor alone, which furnished that supply of grain which the wants of this country required—a further proof, if any further was necessary, of the policy of that less-fettered importation of grain which he hoped to see the House ere long adopt, as a uniform principle of the commercial regulations of the country. He could never turn to that portion of the valuable report of Mr. Jacob, which treated of the export from Dantzic and Elbing. The calculations extended over a period of 166 years, in which the annual average of wheat and rye exported was stated at 215,30 quarters; and that surplus, he observed, may be considered as forming the nearest possible approach that can be made with existing materials to what is the usual amount of the production of corn, in those countries, beyond the consumption of the inhabitants, when no incident occurs to check cultivation. He was entitled to assume this, indeed, from a comparison of the different periods divided in terms of twenty-five years. In the first years from 1651 to 1675, the annual average export was 81,775; and in the last years, from 1821 to 1825, it was only 83,523. Mr. Jacob, indeed, says, that the scarcity which prevailed over various countries of the world about the time of the French Revolution, in France itself, in Sweden, in Holland, and in other places, created a difference; first, in the five years following 1781, when the average was 264,431; next, from the year 1796 to 1800, when it was 4088 quarters; and subsequently, from 1801 to 1805, when the exports averaged 549,365 quarters; but from 1821 to 1825, it was only 83,523, nearly the same as it was a hundred and sixty years ago. The fact seemed, indeed, to be that when the price was high in England, the farmers of the various countries all over the continent were induced, by the additional demand, to send their grain to the English market. It had been proved, beyond question, that grain, under such circumstances, was sent even over the Carpathian Mountains to the navigation of the Vistula, and from the remotest parts of Bohemia and Silistria; but it was the extraordinary high price, and the high price alone, which gave the stimulus to such a speculation; and, unless that high price existed it was nearly impossible that any encouragement could be afforded to exportations, unless in the immediate neighborhood of the great navigable rivers. And he was the more confident in such an assertion, when he looked at the proofs of the innumerable difficulties thrown in the way of the transportation of grain, as well as the expense and loss necessarily attendant upon it. Indeed, after the most laborious investigation of the different Returns, he had no hesitation in saying, that, if the average price in this country was from *55s.* to *60s.*, they could never expect a larger quantity of grain to find its way to this market than the [illegible]0,000 quarters which were the overplus of the maritime countries and those districts near the navigable rivers; and when they considered the consumption of the country to be thirteen millions of quarters, as he had proved before, he could not find any just grounds for the apprehensions entertained upon the subject of an immense quantity of foreign corn being poured into the country, even if the price continued as low as at present.

Now, as to price. The price in the ports of the Baltic, for common grain, was stated at 13*s.* a quarter; but, would any man say, that such a price did not proceed from the total derangement of trade? and was it not evident that its continuance, for any length of time, would have the effect of turning all the capital employed upon the cultivation of wheat into some different channel? Men would grow flax—they would grow rape-seed—they would cultivate [illegible], or employ their land in any other way which might bring in a better rent or raise a more profitable produce. But it was not with agriculture as with manufactures. In the manufacture of woollens or cottons, if the supply became too abundant for the demand, the manufacturer would gradually diminish the quantity, until he ceased altogether to produce that particular commodity which was depreciated in price; but he could not instantly apply machinery which had been erected for one purpose to the execution of another. The agriculturist, on the contrary, could immediately turn his attention to the growth of some other species of production, and he felt convinced, that, unless in consequence of some extraordinary high price in England, the grower of wheat on the shores of the Baltic could not be much encouraged to exceed the fair estimate of the consumption of his own country. From the details of Mr. Jacob it appeared, that the inferior quality of wheat—that quality which was not exported, unless in time of great scarcity—could not be sent, even from the maritime provinces of Prussia, under 43*s.* a quarter. He states the first cost to be, including all charges, about 24*s.*, upon which there was to be calculated a loss of 20 per cent; which, with rent, freight, insurance, and other charges would bring it to the English market for about 43*s.* That was, he begged to be understood, for the very inferior kind, and from places quite accessible to water-carriage. But the better kind, and that usually sent to this country, when the ports were open (and here he begged to say, that these Returns were made out at the request, and under the sanction of the Treasury), the better kind of wheat from Warsaw could not be landed in England for less than 48*s.* a quarter, in a time of no peculiar demand. The cost was made up in this manner:—

	s.	*d.*
Cost of the quarter of wheat at Warsaw	28	0
Conveyance to the boats, and charges for loading and stowing, and securing it by mats	0	6
Freight to Dantzic	5	0
Loss on the passage, by pilfering, and by rain causing it to grow . .	3	0
Expenses at Dantzic, in turning, drying, screening, and warehousing, and loss of measure	2	0
Profit, or commission, as the case may be, to the merchant at Dantzic . .	1	6
Freight, primage, insurance, and shipping charges, at Dantzic and in London	8	0
	48	0

In the same manner, wheat from Cracow, which cost the grower about 22*s.* 6*d.* would be delivered in London for 45*s.* 6*d.* It was necessary, however, to explain that the charge for insurance only covered the stranding of the ship, but did not take any account of wetting, pilfering, and all the other losses to which the grain trade was peculiarly subject, and which must be estimated in the cost before it came to market. No trade, indeed, was more subject to losses, from the badness of the vessels in which the commodity was conveyed; because the Baltic vessels, being constructed for the timber trade, leaked so much as to injure the grain to a very serious extent. But it was not alone the ordinary expenses which were to be taken into their calculation. No demand for grain ever continued for more than six days without increasing the amount of freight and the price at least forty per cent; and, if the demand continued for twelve days, it would exhaust, as he had already shown, the whole stock of grain which could be brought into market. Mr. Jacob, to whose invaluable Report he had so often referred, stated, most distinctly, from a consideration of these circumstances, that, if a duty of ten or twelve per cent was imposed upon the importation of corn from Poland, it would, in his opinion, put an effectual stop to the importation of grain from Poland, except in extraordinary seasons; and it should be recollected, that he stated that, after the most laborious investigation of the subject, in compliance with an order from the lords of the Treasury, requiring him to turn his attention to the grain trade of Poland, that he might be able to say what would be the probable supply if the price in this country was 60*s*. or 64*s*. The words of the concluding portion of that Report were so conclusive upon the subject, that he would take leave to read them to the House.

"If a duty in this country of 10*s*. or 12*s*. per quarter was imposed, it would not allow of such a profit, on the supposition of the price being from 60*s*. to 64*s*., as to induce any great exertions to increase cultivation in the districts bordering on the Vistula. The chance of a rise occasioned by war, by a winter so severe as to injure vegetation, or by a rainy harvest season, might induce those of a speculative turn to increase their growth of wheat; but those who have that turn, and have the means of indulging it, are so few, that they would produce no sensible increase in the general surplus. I see no reason to believe, that with such a duty as I have mentioned for England, and a price of from 60*s*. to 64*s*., and with some similar regulation in France, that the surplus corn produced in Poland, including all the countries near enough to the Vistula to send their corn to that stream, would materially increase in common seasons, or very much, if at all, exceed the average produce of that country. The greatest part of this might, probably, be wheat; and if the duty was alike on all the various qualities of that grain, none would be sent here but that part which is the driest, heaviest, and whitest. The inferior descriptions would not pay for importation, unless the average price in England was much more than 64*s*."

This opinion upon a free trade in corn, from an individual who was once decidedly hostile to any such freedom, must be allowed to have the greatest weight. Mr. Jacob had recorded his opinions in opposition to any such measure, in a work published in 1814—he had expressed his continuance in the same conviction before the Committee of 1821—and it was, therefore, a proof, both of his sincerity, and of the force of the facts which had come under his knowledge during the period of his inquiries, that he had, in the very face of all his former declarations, given such decided testimony in favour of a system directly opposed to that which he had once advocated. The present average price was about 58*s*., but he had no hesitation in declaring, that the agriculturists—and he was himself an agriculturist—would be well protected with an average price of 55*s*. There was, he was convinced, no landed proprietor or farmer who would not, if he looked to the state of the country, and the security which it would give his property, be content with that price for his grain. He would ask, indeed, any landed proprietor, in that House or out of doors, whether he would not be content with that price, or even something lower, provided he could give permanence to the present state of things, and obtain security for the payment of his rent? If the price was lower, the income from land would become still more available; and he put it to the landed proprietors, whether the regular payments of such prices, and the comparative cheapness of every thing else, would not be preferable to a kind of income, which, though it might be nominally high, they received but with the right hand to pay it away with the left.

He would ask them, whether the security to property, the advantage bestowed on manufactures, the general activity given to the whole commerce of the country, would not amply compensate for a nominal amount of rent, which produced no real benefit to those who received it. If they persisted in their present course but for a time, it required no great penetration to discover that they would be, ere long, afflicted with the most frightful miseries. For his part, as long as he had the honour of a seat in that House, he would continue to raise his voice against a system which he had periodically held up to their condemnation, and which he hoped yet to see give way before the united force of reason, common sense, sound policy, and every consideration which regulated the principles of trade, with regard to all other productions. If they considered the effect of their at one time calling in a large supply of grain from foreign countries in anticipation of, or from the effect of, a dearth—a supply which continued long after the occasion of the dearth had ceased to exist; and if they contemplated the long train of evils, in the shape of high tithes, high rents, and high poor rates, which were created by such a bounty upon that importation; and if they turned their attention to the ruin and misery inflicted upon the agricultural interests, and every other interest in the kingdom—when the fear of that dearth had subsided, and when they made an attempt to return to their former state of prohibition—if they considered these things, and reflected that such had been their condition not very long since, he confessed they must have stronger nerves than he had who could look without emotion to the continuance of a course which might, by possibility, produce a return of that appalling state of misery and distress. Upon every principle, therefore, of common sense, common honesty, and liberal feeling, he called upon the House to rescue the country from the evils to which it must be subjected, if the present Corn-laws were allowed to remain unaltered. To advance that most desirable object to the utmost extent of his power, he would now conclude by moving, "That the House do resolve itself into a Committee of the whole House, to consider of the present state of the Corn-Laws."

Mr. *Philips*, in rising to second the motion, said, that it was expected by the manufacturing interests that, if there was to be a free trade in manufactures, there would also be a free trade in corn. He conceived, that the doctrine of free trade ought to be applied to grain rather than to any other commodity. Some commodities were wanted only for luxury, others only for convenience; many were not of paramount importance, and many could be entirely dispensed with. Grain, however, was indispensable to human existence, and was one of those articles which it was impossible for a nation to do without. Besides, the tendency of manufactures was, to become cheaper as the demand increased: whereas, the tendency of grain was, to become dearer in proportion to the quantity of new land brought into cultivation. The high price of commodities, too, might exist without producing any considerable effect upon the rate of wages: whereas, a high price of corn led either to a great increase in the price of wages, or to the starvation of the labouring classes. He should like to know why the country should not have a free trade in grain. The common answer to that question was, because the agricultural interest was subject to heavy taxation. If such were the fact, he would say, "place upon foreign corn a protecting duty, equal to the amount of that taxation." But was the agricultural interest, he would ask, the only interest in the country which laboured under taxation? Were there not other interests which suffered equally from it? The legacy duty applied to personal property only—the stamp duties fell almost entirely upon legal and commercial men—not to mention a variety of duties which affected the commercial interest exclusively, and from which the agricultural interest was free. It had been said by the hon. member for Cumberland, and repeated by the hon. and learned member for Winchelsea, that more labour was expended in the production of corn than in the production of manufactures. Now, he had collected facts which convinced him of the utter fallacy of that position. His hon. friend, the member for Cumberland, who had certainly paid great attention to this subject, had told him, that, according to his calculations, the labour employed in the production of agriculture constituted 20 or 25 per cent of its value, and that the labour employed on manufactures constituted a much less part of it. Now, he would not pretend to speak decisively upon every species of manufacture; but he would inform the House of the result of his calculations on one manufacture, to which his consideration had been more particularly turned—he meant the cotton manufacture. The quantity of raw cotton imported, and of cotton goods exported, was well known. The value of the cotton-manufacture he would take, in round numbers, to be 24 millions. Now, the value of the raw material, including the expense of freight and duty, constituted 6 millions out of the 24. The expense of dyeing, bleaching, &c. the material, the wear and tear of the machinery, the cost of keeping it in repair, together with the interest and profit on the capital so employed, amounted to 4 millions. These 4 millions, added to the other 6 millions, made 10 millions out of the 24. The remaining 14 millions consisted entirely of the labour of the cotton-manufacturer; so that the labour expended on the cotton manufacture, instead of being only 20 or 25 per cent, as in the productions of agriculture, was full 60 per cent. He made this statement, to prove the fallacy of the position laid down by his hon. friend. But even if the position were correct, it did not deserve the importance which his hon. friend seemed to attach to it. If the value of a commodity were to be estimated from the quantity of labour expended upon it, then the worse the land which was brought into cultivation, the greater would be the advantage to the person who bestowed upon it the labour of cultivation; and, at that rate, the tilling of the barren mountain of Snowdon would turn out a very profitable speculation. He had been taught to believe, that the great object of mankind was, to obtain the comforts and accommodations of life with as little, and not with as much, labour as was possible, and he had yet to learn that he was mistaken in that belief. According to the statement he had just offered to the House, 14 millions of the capital employed in the cotton manufacture was employed in the payment of labour. Of this sum he conceived that 4 millions were paid by the labourer for his clothing, his furniture, and various other articles of necessary use, in which, however, food was not to be included. The labourer had then 10 millions left him for the purchase of food. His hon. friend, the member for Cumberland, admitted, he believed, that the exclusion of foreign grain from the markets of this country raised the price of corn 20 per cent. Now, if food was raised to the labourer 20 per cent, it was clear that the labourer in the cotton trade paid a tax of two millions for the benefit of the landed interest. His hon. friend, the member for Cumberland, thought the protecting duty proposed by his hon. friend, the member for Bridgenorth, to be insufficient, and wished to place a protecting duty of 20*s.* a quarter upon wheat, and 12*s.* 6*d.* a quarter upon barley. In order to show the effect which his hon. friend's proposal would have upon the circumstances of the country, he would take the protecting duty in both cases in round numbers—the first at 20*s.* and the last at 10*s.* The hon. member for Essex (Mr. Western) had published a speech which he had made in 1814 on the Corn-laws, and had subjoined to it a calculation of the quantity of grain produced and consumed in the united kingdom. The hon. member had made his calculation on the supposition of a smaller population than that which was proved to exist in the country by the late census, having taken the population of England and Wales at 10,791,115. He had calculated the quantity of wheat consumed by them to be 10 millions of quarters. And the consumption of every other species of grain in the united kingdom at 37 millions. Now, it was proposed to add to these two quantities a protecting duty of 20*s.* and 10*s.* a quarter respectively. The result of such a measure would be, to add 10 millions to the price of wheat, and 16 millions to the price of every other grain, thus making the people pay 26 millions for the benefit of the landed interest [cries of "No, no"]. He did not mean to say that the people actually paid that sum at present, but that the proposal of the hon. member for Cumberland would inevitably lead to such a conclusion [a laugh]. Gentlemen might laugh, if they so thought fit, when the object of their schemes was thus unfolded to them; but laughter was not argument, any more than contradiction was refutation. He believed that the effect of repealing the present system of our Corn-laws would be much less than one class of the community was accustomed to hope, and another to fear. He did not believe that the agricultural interests of Great Britain were so incapable of competition with those of other countries as they had represented themselves to be. He recollected that Mr. Jacob, whose authority was deservedly high, had stated to the House, that the system of agriculture in this country, compared with that practised on the continent, exceeded it in the proportion of seven to five. He had stated further, that whereas 4-5ths or 9-10ths of the population were employed on the continent in the production of food, not more than one-half of the population was so employed in England. On that point Mr. Jacob had gone much beyond the mark. The late population-returns proved, that not more than one-third of the population was so employed. If, then, our system of agriculture was so superior to that of the continent, as Mr. Jacob represented, could the House suppose that our agriculturists had any just reason for apprehending the competition of foreign nations?

Whilst he was upon this subject, he must beg leave to notice an argument which he had often heard in that House, namely, that the landed interest paid all the poor-rates, and was therefore entitled to protection. Now, it was not quite clear that the premises were correct upon which the conclusion was drawn. He had himself, in a former session, moved for certain returns to show the proportion in which different sorts of property contributed to the poor-rates. Those returns had since been made, but inaccurately. They were sufficient, however, to prove that out of 6,000,000*l.* of poor-rates, more than 2,000,000*l.* were assessed on other property than land. These returns, he said, were inaccurately made, because it was the custom in some counties, and those agricultural ones, to pay wages out of the poor-rates. In the manufacturing counties this was never done: and that was the reason why the poor-rates in Lancashire were only at a rate of 4*s.*, and those in Sussex at 21*s.* in the pound. In the one case liberal wages were paid by those who benefitted by the labourer; in the other, the labourer received part of his wages from the rates—a measure which was calculated more than any other that the ingenuity of man could have hit upon to degrade and demoralize the peasantry of England.

He was happy to find that the repeated discussions which the House had held upon the Corn-laws had been productive of one change at least. In the years 1814 and 1815, every person who opposed himself to the Corn-laws then proposed, was put down as an enemy to the agricultural interests: and he well recollected that his lamented friend, Mr. Horner, complained that any member who spoke against them was not even heard with common patience. The case was altered at present, and the House listened with better temper to the arguments of those who contended against the policy of the present system. It was then maintained, that no gentleman who was not engaged in agriculture could be a proper judge on the subject. Such an assertion would scarcely be ventured at present by the most hardy defender of the restrictive system; so much had the discussion of the question enlightened and humanized the public mind. He had, therefore, no hesitation in asserting, that those whose property was vested partly in land, and partly in commerce, were the best qualified to judge on a question which was partly of an agricultural and partly of a commercial nature. For his own part, he should hail with pleasure any change in the present system of Corn-laws, and more especially any measure which gave the country an opportunity of recurring to a free trade in grain. No change in either the foreign or the domestic policy of the country could add so much to its wealth, could increase so much the comforts of all its inhabitants, or could tend so much to the improvement of its manufacturing, and even of its landed property, as an approximation to a free trade in grain. For a time it might, perhaps, injure the agriculturist; but ultimately the increased wealth of the country would produce increased comforts; increased comforts would produce an increased population, and that increased population would produce an increased demand for agricultural produce, which would greatly enhance the value of the fee simple of every landed estate in the kingdom. Such an approximation to a free trade would prevent those fluctuations of prices, which were as injurious to the agriculturist as to every other class of the community. It would raise the price of corn on the continent, and depress it in England, and would thus reduce them both gradually to the same level. It would, besides, put a stop to the perpetual jealousies and heart-burnings to which the present system gave rise. When he was last in Lancashire, he had an opportunity of observing the manner in which it worked among the manufacturing classes. There was no grievance which they felt so acutely as the operation of the

Corn-laws; and he knew that it had, in many instances, induced them to emigrate to America, where they could get full employment for their skill and industry, with cheap corn. The emigration of such men was not an evil of petty importance; for it was to the improvements which they had made in the mechanical part of our manufactures, that the country owed much of its wealth and consideration. A change in the existing system was, therefore, rendered advisable by motives of domestic policy. From what had fallen from the president of the Board of Trade in a former session, he had supposed that that right hon. gentleman would in this session have advocated the necessity of making such a change without delay. If the motion of his hon. friend, the member for Bridgenorth, should not be carried that evening, he hoped the right hon. gentleman, in the next session of parliament, would recollect the pledge which he had given to the country in the last, and would come forward with some measure which should have for its object the adoption of a free trade in grain. The right hon. gentleman had conferred great services upon the country by what he had already done to promote free trade; but those services would manifestly be incomplete, if he failed to establish a free trade in corn. Although he had come forward to second the motion of his hon. friend, the member for Bridgenorth, he felt himself called upon to say, that he did not approve of all the details into which his hon. friend had entered. He wished to get rid of the system of averages, because they led to an endless mass of fraudulent intrigues. He would prefer a protecting duty of 10*s.* per quarter, to a complicated system of averages. He had endeavoured to make as accurate a calculation as he could of what would be a fair protecting duty to the British grower. He had compared his calculation with those of Mr. Ricardo, Mr. Tooke, and Mr. Blake, who were deservedly considered the most eminent authorities on this important subject. Those gentlemen were of opinion, that a protecting duty of 7*s.* 6*d.* per quarter, would be an adequate remuneration to the agricultural body, for the land-tax, the tithes, and the poor-rates, which it paid, and the foreign grower did not. He was of opinion that 10*s.* would be a sufficient remuneration; but he would willingly enlarge it to 12*s.* if, by so doing, he could conciliate the sentiments of gentlemen who were opposed to him on this subject, and not only to him, but also to their own individual interests. He should be glad to have these discussions terminated by a protecting duty of 12*s.*, and therefore it was, that he willingly seconded the motion of the hon. member for Bridgenorth [hear, hear].

Mr. *Huskisson* said, that in offering himself to the notice of the House immediately after the hon. proposer and seconder of the present motion, he rose, not for the purpose of following the honourable mover over the wide field of most important matter to which he had called their attentive consideration. However much he might admire the instructive detail which the honourable mover had offered to the House and to the country, it was not his purpose to enter into it at that moment. His purpose rather was, to persuade the House not to engage in the discussion of it, because he was convinced that the discussion of it could only terminate in inconvenience and embarrassment. The hon. seconder of the motion had stated, that last year he had pledged himself to recommend parliament to undertake the revision of the Corn-laws. He would say a word or two as to the nature of that pledge by and by; but he thought himself warranted at present in saying, that from the opening of the present session, there appeared a coincidence of feeling in the House, amounting almost to a common understanding, that there were certain questions of great magnitude, importance, and difficulty, which it would not be desirable, under the circumstances of the country and the parliament, to enter into during that session [cries of "No," from the opposition benches.] That feeling, he maintained, was entertained by the House, not only in justice to the questions themselves, but also in justice to the public interests which were materially involved in them. It was almost universally admitted, that there were certain questions which it would be much better to leave in a state of abeyance, until they could be more fully discussed in a new parliament [hear]. He certainly did collect from the hon. and learned member for Winchelsea, with respect to this difficult and important question, that he conceived the present session not to be a convenient season for the discussion of it; and his right hon. friend, the Secretary for Foreign Affairs, acting in the same spirit, intimated to the House, on the first evening of the session, that it was not the intention of government to undertake that year any revision of the Corn-laws.

Having made this statement, he must now proceed to express his astonishment at the argument which the hon. member for Bridgenorth had endeavoured to build upon it; especially as it was one in which there was much more of refinement than of solidity. The hon. member had said, that the uncertainty which prevailed abroad as to the intention of the government and of parliament on this question, had completely stopped all speculation in the internal corn-trade of the country. Now, what were the facts. On the first day of the session of 1825, he had distinctly stated, that he had no intention of making any alteration in the Corn-laws during that session, On the first day of the present session, his right hon. friend had made a similar declaration as to the intentions of government. The government had, therefore, acted fairly as to their views and intentions upon this question, and the stoppage of speculation in the corn-trade, if it had taken place, must have arisen from other causes than that which the hon. member had mentioned. If people had bought corn at a certain price, with a view to selling it for a profit at some future period, it would be too great a refinement upon the principles of trade to say that they were compelled to refrain from doing so, in consequence of any uncertainty in the existing law. If there was one question more unfit than another to be entertained at the present moment, it was this relating to the Corn-laws. No question was more calculated to agitate the House, and to set afloat in the country notions which might give rise to general inconvenience than this; and he thought, therefore, that unless the House was prepared to go through with it—unless they were convinced that this opportunity and this time were convenient for dealing with so momentous and difficult a subject as the state and system of the Corn-laws, it ought not to be taken up. It was a momentous subject, because it bore immediately upon the employment and subsistence of an immense mass of our population. It was immediately connected with the well-being of classes of the community who were extremely numerous and important, including as well those who possessed the property of the soil, as those whose capital and industry were employed in its cultivation, and depended upon the land for their subsistence. It was difficult, on account of the circumstances which had grown out of the recent alterations in the commercial law of this country, and which had established the principles of free trade with moderate duties for that system of prohibition which had before prevailed. It was difficult, also, on account of the situation in which that alteration had placed other corn-growing and corn-exporting countries, with respect to their intercourse with us as to other commodities prior to that alteration. It was a subject not to be lightly undertaken at that advanced period of the session, and in the state of the present parliament; for it would require a most deliberate consideration of the footing on which the charge upon land should be placed. It had been admitted, that persons who engaged their capital and their labour in the cultivation of the soil were entitled to compensation and protection; and the exact amount of these must be ascertained before any satisfactory decision could be arrived at.

But these were not the only grounds of difficulty which the subject presented. It was clear to most gentlemen, he believed, that the system which had hitherto been pursued was an erroneous one. That opinion he had openly maintained elsewhere, and had expressed frequently in that House; and the chief error of the system was, that it had kept an almost entire prohibition. If, then, it had become necessary to retrace the steps which led to the formation and establishment of that system, they must do so with a cautious reference to all objects which were connected with it. All parties were interested that this should be conducted with the utmost deliberation and prudence, and none more than the consumers of corn themselves. Let no one attempt to deceive himself or others, as to the effect which any sudden alteration of that system must have upon the state of things which had grown out of it and along with it. All the mortgages and other incumbrances, all leases, settlements, and every other description of charges upon land, must be immediately affected by any such alteration; and the parties interested in them would be exposed to the greatest injustice, while the difficulties which are now felt to exist would be more aggravated by any unguarded change, or any mistake in the principle which ought to govern that change, than by any other means that could be devised. Whenever, therefore, the parliament should resolve on proceeding with this subject, they must do so upon the consideration of many other circumstances than they were now prepared to embrace. The difficulties he had stated were chiefly of a general nature, but there were others which were scarcely less important. His hon. friend had, in the course of his speech, made frequent references to a document which was not before the House. He alluded particularly to the change which had taken place in some of the countries of the north of Europe, respecting their capacity to supply corn, which it appeared was considerably reduced. It was not only true as to those countries, but the same effect had been produced in France, in consequence of the regulations which had been adopted there respecting the exportation of corn. Still, the condition of those countries in this respect must form the elements by which the House must form its consideration of this subject. In consequence of the discussions on this subject in the course of the last session, he had considered it to be his duty to employ a gentleman to make personal inquiries into this subject; and the Report which had been mentioned was drawn up in consequence of those inquiries. The gentleman so employed, of whose diligence and ability he could not speak too highly, proceeded to the countries which were chiefly engaged in the exportation of corn, and collected there the materials of which his Report was formed. That Report was not, perhaps, quite perfect, nor might some hon. gentlemen think it was sufficient for all purposes, but he was sure no man would deny that it formed a most important addition to the information which was already possessed on this subject. If any measure had been adopted before this Report was made, it must have been extremely defective, because it would have been without the valuable information which was now available. If the Report should now be read without any of those exaggerated fears and prejudices which sometimes rejected all evidence, he had little doubt that, in another session, the House would be enabled to come to a satisfactory adjustment of this question.

These, however, were not all that appeared to him in the shape of objections to proceeding with the subject at present. It was impossible that any alteration could be made in the Corn-laws without an exclusive consideration of the price of the commodity; and this branch of the subject was intimately connected with the monetary system. At this moment, when inquiries into that system were going on, and in the feverish and unsettled state in which the currency was placed, would any man say it was desirable that it should be attacked on another side? In considering the subject now before the House, it would be impossible to legislate wisely, unless the currency, which was the soul and element of the prices, should have been first disposed of; and this reason not less forcibly than the others which he had stated, convinced him, that the present period was wholly unfitted for the discussion.

He thought he had stated general grounds enough to convince the House that it would at all times be desirable to have more leisure for entering upon the inquiry than they could at present command; but he would also fairly own, that at this period of the session, when the public business (so far at least as it originated with the government) was in a very advanced state, and every body was looking forward to the probability of a general election, he thought that nothing could be less advisable than to agitate the subject. In saying this, he stated no more than was to be learnt from every newspaper; and he repeated that, if at this moment the House should raise (as the discussion of this question was necessarily calculated to do) a great excitement in the public mind, it would be impossible to conduct the debate with that calmness which ought to characterise the deliberations of a British House of Commons. A pledge which he was said to have given on this subject had been alluded to, and he had no inclination to withdraw that pledge. As a servant of the Crown, he had a right to consider, that circumstances might happen, between the time of giving that pledge, and of being called upon to redeem it, which at least might induce him to postpone it. But, what was the pledge which he had given? He had stated, that, if he should have procured all the information that was requisite, and if the business should be begun at an early period of the session, he thought they might be enabled before the end of it, to arrive at that satisfactory adjustment of the question which was so highly desirable; but this was not the time he had spoken of. He was ready to admit, that, powerful as were his reasons for not now proceeding, if, by doing so, the distress, which, he grieved to say, still prevailed to a considerable degree, could be alleviated, he would immediately forego his opposition. He, however, denied that it would have any such effect. If the House could suddenly and materially reduce the prices of all the necessaries of life, so far from relieving, it would aggravate the general distress, and postpone all hope of its termination. In the state of foreign markets, the stagnation of trade, and the difficulties which existed universally, the effect of an increased consumption produced by such means would be worse than useless. Let him not be misunderstood, in saying this he advanced nothing at variance with the doctrines he had so often advocated; and he was convinced now, as much as he ever had been, that prohibition was a blameable and injurious principle. He did not think it necessary, or even prudent, at this time to go into the details of the alteration which, when the opportunity should arrive, he thought ought to be made in the system of the Corn-laws. Any thing which established occasional or permanent prohibition he was a decided enemy to. He agreed with the hon. gentleman that the evils he had pointed out should be remedied; but the subject was one which gave rise to so many fears and alarms, and seemed to be connected with the interests of so many persons, that a man, who had greater power than himself of expressing with precision and accuracy the alterations which he intended, might be reasonably apprehensive of leading to misconceptions among those whose interests were, or were thought to be, at stake. For this reason, and because he would not encourage any opinion which might be incorrectly formed, the House would excuse his going into the subject now. His wish was, that the public mind should not be agitated on this subject; and he was sure, if the discussion should be continued, the warmth, irritation, and indifference of opinion to which it would give rise in the House, must lead to no other result than to produce ferment and inconvenience, perhaps mischief, out of doors. He wished the question to stand for the present where it did, and that the House would permit him to say (if it would receive from him an intimation of his intentions) that in the next session of parliament he would bring it forward [a laugh.] The hon. member for Northampton might laugh, and he might perhaps think the reasons he had stated for this delay were not sufficient; but if the House were satisfied with them, he should be consoled under the hon. gentleman's disapprobation, and would repeat his request, that he might be allowed to transfer to the next session the assurance he had given in a former one. He would meet the sneer of the hon. gentleman with this qualification that he was not to be bound by this pledge so absolutely, that whatever circumstances might happen during the next six or eight months to change the grounds upon which it was made, he was to be held to redeem it. If the hon. gentleman thought that he shrunk from the discussion of this question at this time on account of its difficulty, he knew little of the character of the humble individual who now addressed the House, and less of the line of conduct which he had on all occasions pursued. He trusted that he had never evaded that which he had felt to be his duty, whether it happened to be palateable or unpalateable. The pledge which he gave was, that he would take the opinion of the House on this subject at what he believed a favourable opportunity; but he wished to guard himself against being afterwards taunted with the non-performance of a task which he should be no more bound to fulfil then than he was now. He wished to be understood that he by no means undervalued the information which his hon. friend had given to the House, but that he thought the time was unfitted for receiving it.

Before I sit down (continued Mr. Huskisson) I must say, that some of the doctrines of my hon. friend on the subject of free trade are not quite just, or well founded. At least they are not the doctrines which I have ever entertained; and certainly they are very different from those which I have uttered in this House, and they are equally distinct from the principles upon which the government have guided their recent measures with reference to trade. My hon. friend has argued the question of free trade, as if it were the absolute removal of all difficulties thrown in the way of the supply of foreign productions to the inhabitants of this country. This is not my view of the question; but that doctrine does not meet my view of foreign trade. The hon. mover says, that he is the friend of free trade in corn. I appeal to those who have set with me in the committee of 1821, whether I shrank from avowing myself as great a friend of the free trade in that article, as the hon. mover is; but, when my hon. friend says, "I am for free trade in sugar, and for free trade in timber," he forgets that there were two grounds of restriction in the shape of duty, upon the productions of foreign countries. One of these grounds is the levying of duty for the purpose of raising a revenue, which the peculiar situation of this country, the amount of our national debt, renders necessary. Does not my hon. friend know that the revenue levied upon the importation of timber is of considerable amount, and that the duty upon sugar is a most productive source of revenue? Those duties are not like other duties levied for the protection of any British manufacture, but solely for the purpose of revenue. If it is of the duty on East India sugar that my hon. friend speaks, I will show him, whenever that subject comes regularly under the consideration of the House, that the duty is more nominal than real. But, with respect to other articles, I do not know why one produce of the skill and industry of this country should not be protected as well as another. The object was, to place our commerce and manufactures in a state in which they could fairly compete with the commerce and manufactures of other countries. If, in the peculiar situation of this country, there are circumstances which render it necessary to impose upon our manufacturers and agriculturists burthens from which those classes are exempt in other countries, it is but fair that a countervailing duty to the extent of the advantages enjoyed by other countries, should be imposed as a protection to those classes in this country. What I have already proposed in this parliament, respecting a free trade in silk, was not that all the ports should be opened without duty, but that such a degree of protection as appeared to me commensurate with the disadvantages under which our manufacturers of that article are placed, compared with the foreign manufacture, should be afforded in the shape of a duty upon the foreign manufacture, and by thus putting our manufacturer upon an equal footing with the foreigner, to excite his emulation and his industry. It is upon that principle that I, according to my view of the principles of free trade, have acted, and I have done so, not from any wish to destroy the silk trade in this country, but from a wish to destroy that competition which smuggling had created, and thereby to increase the revenue. I am aware that this measure at first created alarm among the British manufacturers; but I now believe that they find such a system more to their advantage than an actual prohibition, which could not, by possibility, completely exclude competition, and that the protection afforded the British manufacturer is quite sufficient. The hon. mover has said, that in proposing that measure, I began at the wrong end, and that I ought first to have proposed an alteration in the Corn-laws. When the hon. mover made that statement, I beg to ask him whether he recollected the different circumstances under which those two branches of commerce were placed? Does he forget all the statements which had been made by Mr. Webb Hall and others, repecting the protection afforded to the manufactures of the country? Does he forget that Mr. Hall shewed that one branch of manufactures had a protection of 80, and another branch a protection of 60 per cent.; and that such was the impression created by his writings, that the answer of the agriculturist to every proposal for any alteration in the Corn-laws was, "take off the protection given to the manufacturer, and we shall be then able to enter into competition with the growers of foreign corn?" That objection has been removed by the change which has taken place; and we can now say to the agriculturist, the protecting duty of the cotton manufacturer has been reduced; he pays a duty upon the raw material, but in addition to that duty, there is another imposed upon the manufacturer in the shape of corn." This statement must silence some of the arguments against an alteration in the system of the Corn-laws. The great difficulty is, to fix a sufficient protecting duty to the agriculturist upon the importation of foreign corn; but I am convinced, that when we have sufficient time to consider the nature of the information, which in a few days will be in the hands of every hon. member, and when we shall be placed in more favourable circumstances than we stand in at present, we shall come to the consideration of the question with greater certainty of doing justice to all the interests concerned, with greater satisfaction to our own minds, and with the best prospect that the most sanguine advocates of what are called the agricultural interests will be reconciled to an alteration. For these reasons, and being firmly persuaded that no good could, under the peculiar circumstances, arise from agitating the question at present and that this moment is not the fit one for proceeding to the apppointment of a committee, I feel myself, with every respect for the motives of the hon. mover, under the necessity of moving the previous question.

Lord *Milton* said, that the right hon. gentleman had, instead of fairly grappling with the question, merely repeated the assurance which he had given last session. The only reason which the right hon. gentleman gave for this was, because he feared an impending dissolution of parliament. Now, he thought the question of such importance, that if the necessary discussion of it took a much longer period than was reckoned upon, it ought immediately to be taken up; because the inconvenience of the suspense in which the country were now kept was of the utmost importance. How was a man to purchase an estate, or how could he calculate the rent of a farm, while things were in their present undefined state? When he considered the power which the landlords possessed over their tenantry, he must protest, on the part of the latter, against their being left in a situation in which they were at the mercy of the landlords. The persons interested in the question were the landlords: they were a powerful, though not a numerous class; they were the members of parliament, and those who made the members of parliament. He thought that he did not give an improper definition of the landed interest when he thus described it. It was not, in his opinion, very creditable to parliament that it should, under the present circumstances, or, indeed, under any circumstances, be thought incapable of considering the question. Much of the alarm which the landlords professed to feel, as to the proposed repeal of the prohibitory laws, was, he thought, groundless. The substitution of an equitable system of Corn-laws, for the present system, would not be injurious to the landed interest. It would, he admitted, occasion a considerable fall of rents, but at the same time it would create a corresponding advantage, by diminishing the prices of all articles of consumption, so that the landlords would not be such losers by the measure as they anticipated. The advocates of the present Corn-laws were apt to make use of terms which were calculated to mislead those who heard them. They talked of the agricultural interest, or the landed interest, being ruined. Those were only abstract terms. It would doubtless be a misfortune if the individuals who derived their support from landed property should be ruined; but, that agriculture should be destroyed, whilst commerce continued to flourish, was impossible. The same number of acres must still be cultivated, whether the rent paid was 20*s.* or 10*s.* per acre. The rents of the landlords might be reduced without causing the ruin of the agricultural classes. The landlords pretended to advocate the cause of the farmers and the labourers; but those classes had no interest whatever in the high price of corn. In pretending to plead the cause of the farmers and labourers, the landlords were, in fact, only endeavouring to advance their own interests. He would give the House an instance which had come under his own observation of the tender regard which landlords felt for the farmers. Eighteen months ago, when the price of corn rose, the proprietor of a large estate in his neighbourhood gave notice to all his tenants to quit, preparatory to raising their rents. That case ought to be a warning to the farmers and labourers, and should be stated as an answer to those persons who, in that House and other places, affected to take credit for the protection, forsooth, which they had afforded to the agricultural classes, when, in fact, they were only desirous to protect their own interests [hear]. He was perfectly aware that the opinions which he entertained on the subject were not very palateable in that House. People were, in general, too much disposed to listen to those arguments which flattered their own opinions, and found but little pleasure in hearing those of a contrary description: but it did seem to him, that if ever there was a time when the question of the Corn-laws could be fitly considered, it was at a period when the greatest commercial distress prevailed in the country. He was convinced that the existing laws were not only injurious, as they tended to raise the price of provisions in this country, but that they were doubly hurtful as they affected our foreign commerce. In his opinion, there were no laws which more interfered with the commerce of this country. They shut us out from most of the foreign markets of Europe, and they compelled our merchants to seek for markets for their commerce in the most distant part of the world—at the other end of the globe; in countries whose resources not being accurately known were, of course, much exaggerated; the trading to which was attended with greater expense and risk, and which frequently ended in involving the merchants in ruin. These laws shut out English merchants from the Baltic, from the nearer coasts of Europe, and especially from France; though he believed, that if foreign corn was admitted into this country, very little would come into it from France. Yet from the mere fear that England would be deluged with French produce, were these prohibitory laws maintained. These laws, however, affected us most, as they excluded our commerce from the northern parts of Europe. He trusted the House had not forgotten the important information given them by the hon. mover, who had shewn, from indisputable documents, that not only now, but for some years past, we had been sowing in those countries the seeds of the perpetual exclusion of our manufactures and commerce. By ruining them, we were ruining those from whose prosperity and wealth we looked for a portion of our wealth and prosperity. In short, in whatever view he contemplated the existing laws with respect to the corn trade, he considered them impolitic, unjust, and in his conscience he thought they were unchristian; for it was not christian to enhance, except for the gravest cause, a necessary of life. He knew that he was himself one of those who had been guilty of the sin of voting in favour of these laws. He had given that vote in consequence of the peculiar circumstances in which the country was then placed. And he might recal to the recollection of the right hon. the chancellor of the Exchequer, the speech of a man who was always listened to with admiration and delight, and the charms of whose eloquence on this subject had deluded his hearers into an acquiescence with his opinions. He alluded to the late Mr. Elliot, at that time the member for Peterborough, whose patriotic mind was inflamed; as he thought he saw, in the dependence of this country on foreign states for a supply of corn, a circumstance that could hardly exist, without the loss of her national independence. Such considerations, at the conclusion of such a war as that in which the country had then been engaged, were not unnatural, though they did not appear very well founded in fact. Unless, however, the supposition of Mr. Elliot could be made out, every argument that might be advanced in support of these prohibitory laws would fail entirely. To the necessity and the desire of preserving national independence, of course, every thing must yield; but if there was no reason to believe that national independence was endangered, there could be no other reason on which these laws ought to be maintained; and upon mature reflection, he was of opinion that the national independence could in no way be affected by a free trade in corn. Let the House consider who it was that asked for these prohibitory laws. It was the landed gentlemen of England, and their object was, to obtain high rents and large profits. Was it for the landed gentlemen of England, who ought to be at the head of every thing liberal, and prepared to sacrifice their own interests to promote the general welfare of the country—was it for them to stickle for prohibitory laws, in order to enrich themselves at the expense of their lower fellow-subjects? He blushed for the order to which he belonged when he thought of the Corn-laws and the arguments by which it was sought to maintain them. The Corn-laws could not be justified upon the grounds which had almost always been advanced in support of other prohibitory systems. Formerly, when any class of the community desired to obtain a prohibitory law in their favour, they had the dexterity to persuade the government that the public at large was interested in their prosperity; but, in the present case, the landholders of England called upon government to continue a prohibitory system, not on the ground that it was advantageous to the public, but because it was beneficial to themselves. It was said, indeed, that the interest of the national debt could not be paid unless the landed gentlemen were supported by high prices; as if the interest of the national debt was not paid from something else; as if the arm of the labourer, his industry, and the national stock, did not all contribute, with the rent of land, towards making the payment. Really, the absurdities into which the landed gentry were led, would excite pity, if another sort of feeling was not created by the conclusions to which these absurdities conducted them. He begged to apologize to the House for having detained them so long on this subject. He had done so because he considered it of importance, and he could not conclude better than by expressing his firm conviction, that the Corn-laws were not founded in policy, and were not warranted either by justice or sound argument, on which any man of sense and impartiality could rely.

Mr. *Holme Sumner* thought the country gentlemen were ill-treated by ministers, who, rather than meet the subject as it ought to be met, were for smothering it, whenever there was danger of its exciting discussion. In this manner it had been smothered last year, and in this manner it was to be smothered now. This perpetual delay was most inconvenient to the landed interest, who could not tell into what engagements they ought to enter with their tenants while this subject remained suspended over their heads. The principle of free trade had been much referred to. That principle might do very well in commercial concerns, but it was a frightful and fearful doctrine to apply to the agricultural interests—the absolute ruin of which it might probably occasion. The same rules did not apply to agriculture and commerce. If any branch of trade was injured, there was a disposition in the country to embark its capital in commercial adventures, and the interests of trade would be retrieved. It was not so in agricultural concerns, which ought, therefore, to be more carefully protected and encouraged. Besides, the agricultural interest had not yet recovered from the distress which it had suffered, and more time ought yet to be allowed it. In what he now said, he disclaimed the imputation of speaking merely for his own individual interest, and not for the interest of the farmer and the labourer. On the part of the landed gentlemen of England, he disclaimed the imputation which the noble lord had cast upon them, of seeking to advance their own interests, whilst they pretended to advocate the cause of the farmer and the labourer. The landed gentlemen had made sacrifices which were in the highest degree honourable to them. The principle of free trade might convert the lands of foreign countries from wastes to gardens, but it would convert the lands of England from gardens to wastes. Before this protection was taken off corn, ministers should determine to put the agriculturalists here on a footing with those in other countries. It was impossible that the agricultural interest could exist without the Corn-laws, so long as they had to pay the present amount of taxes. If ministers would take away 30,000,000*l.* from the 50,000,000*l.* of taxes, and repeal the 2,000,000*l.* of land-tax, and the 6,000,000*l.* of poor-rates, the agricultural interest would be able to meet foreign competition, but not otherwise. The right hon. the President of the Board of Trade seemed to think that this question had been brought before the House too early; as one publication that might have much effect on their opinions had not yet appeared. For himself, he could say, that publications of the day produced but little effect on his mind; and he believed that the opinions of the gentleman who was the author of this publication had once been different from what they were now. Though, however, he had not read many books on this subject, he had read the book of experience. That book was uniform; and, except in two years, when high prices were caused by great scarcity, he had always found that years of high prices were years of prosperity to all classes; while years of low prices were those of the greatest distress. When he saw a man entertain one set of opinions at one time, and a different set at another, when he was employed by government to serve a particular purpose, he could not attach much weight to his evidence. He should vote against the motion.

Major *Maberly* began by remarking upon the inconsistency of ministers with regard to this question. The right hon. gentleman opposite admitted, that last year he had promised to discuss this question in the present session, but said, that he had not performed his promise on account of the difference of circumstances between that time and the present. Yet, notwithstanding this breach of promise, the right hon. gentleman still expected faith to be placed in his word; and, at the end of the sentence in which he had made this admission, he repeated his promise. What was the case which the right hon. gentleman attempted to make out in justification of the breach of his promise? it was most unsatisfactory. The whole of it might have applied to any time and circumstances as well as to the present, and his arguments might have been moulded in the same manner, to answer his purpose on every occasion whatever. This year he said he would not interfere, because it was a year of general distress; and last year he begged to decline the discussion, because it was a year of general prosperity, and the discussion might be injurious, as it might lead to inconsiderate speculations in corn. What did the right hon. gentleman mean? If the prosperity of the country was a reason for delay in one year, surely it was at least odd to assign distress as a cause of delay in another. The debate of last year assumed a very different character from what it would have done, in consequence of the representation and promise of the right hon. gentleman, and of the great respect which every one entertained for his word and his character; and now, when the question was brought forward, the right hon. gentleman urged its postponement with such a set of arguments, as had hardly ever been heard from him before. It was said, that the report and evidence of Mr. Jacob were not yet published; but why were they not? That gentleman had returned in August last from his northern tour, and his evidence might have been laid on the table before now; and since it had not been, surely it was rather hard to say that the House ought not to proceed with the discussion, because evidence which the ministers might have furnished months ago was not yet ready. Then it was said, that the question ought to be postponed on account of the ferment it might create on the approach of a general election. Surely this was no sufficient reason; but even if it were, the evil was not to be much dreaded, as the whole question might be settled before a general election. He maintained that, upon this view of the question, it was their duty to press it forward at the present moment. It was unfair to argue, that this subject ought not to be introduced at the close of a session, or of a parliament. Again, it was a great fallacy to argue, that there could be no benefit derived to the manufacturer from low prices of corn, inasmuch as the agriculturist, who was the principal consumer of our manufactures, could not afford to purchase them, if he was obliged to sell cheap corn. But he would ask, whether those who argued thus, did not forget, that for every quarter of corn which might be imported into this country? Some article of our manufacture would go out? At that late hour he could not think of detaining the House, but he wished to impress upon them the necessity of preventing, by a judicious legislative enactment, those fluctuations in the price of corn, which raised it at one time above the reach of the mechanic, and again, by a sudden alteration, lowered it to such a degree, that it seriously affected the farmer, whose interests the existing Corn-laws were said to protect. The hon. member proceeded to state, in answer to what had been said about remunerating prices, that in 1773, the price was 48*s.*; in 1806, it was 66*s.*; and now it was 70*s.* If the present system were persevered in, they would have all the poor land of the country brought into cultivation again, and then a law would be required to give a remunerating price for the produce of those lands. Now, the sooner they got rid of such a system as this the better. The hon. member, in conclusion, expressed a hope, that this measure would be pressed upon ministers year after year. He trusted that continued attacks would be made upon a system which exposed the country to disorder and distress on the one hand, while it operated as a severe check upon our wealth and prosperity on the other.

Mr. *Huskisson*, in explanation, denied that he had, last session, urged the prosperity of the country as an argument against going into a revision of the Corn-laws; nor had he in the present, quoted the distress as a reason for avoiding that measure. All he now said was, that any rapid reduction in the price of corn might be likely to create alarm, and aggravate the difficulties under which the country was labouring. As for the report to which the hon. member for Northampton had alluded, as soon as he received it, he had lost no time in laying it before the House.

Mr. *Curwen* said, it was not his intention to occupy the time of the House more than a few moments. Indeed, he would not have presented himself at all, at that late hour, were it not that he was anxious to rebut a charge made against land-owners, that, in keeping up high prices, they were looking only to their own interests. He should blush at rising in his place, if he felt that such a stigma deservedly attached to that body. But he was glad to know that such was not the case. In advocating their interests, they were advocating those of the public at large. It was impossible that the manufacturing and other interests of the country could go on with what was called cheap corn; because cheap corn must bring low wages, and low wages, instead of producing comfort and happiness to the manufacturers, would be productive of precisely the reverse.

Mr. *Wodehouse* said, he felt much obliged to the honourable mover for making out so good a case for the landed interest. That hon. gentleman had now appeared, for three successive years, in a very extraordinary capacity; for in three successive sessions of parliament he had prophesied that a famine would befal the country. Now, he was quite disposed, on many occasions, to go with that hon. gentleman; but really, where a man undertook to be weather-wise, he must be pardoned for thinking him otherwise. If the hon. gentleman would only print his speech of that night, as a summary of all the others that he had printed on the same subject, he would promise him that it should be treated better than the last; which, to say the truth, had not yet, to the best of his belief, been read by any member of the club of which himself and the hon. gentleman were members.

Sir *Francis Burdett* said, he differed entirely in opinion from the right hon. the President of the Board of Trade, for he thought that there was no question which was more proper for discussion than that before the House; and none for which, by discussion, more was likely to be gained. He wished to hear the question argued fully and fairly—to hear as many gentlemen as possible express their opinions upon it, plainly and practically, but without such angry animadversions or imputations of interested motives, as could only tend to create ill feeling, and lead them from the real merits of the subject; and, although he regretted, at so late an hour, and in the present disposition of honourable members, to be compelled to occupy any portion of their time, yet he should be obliged to trouble them at some little length, from the peculiar situation in which he stood as to the arguments of the speakers who had gone before him. For, to deal candidly, although he could not agree in the view of the question taken by the honourable member immediately above him (Mr. Curwen), yet certainly he had not quite so disinterested a feeling upon it as that contended for by one or two honourable members who had spoken in the course of the debate. Standing as he did in the situation of a gentleman of England, possessing a landed estate, most certainly, if he believed that a change in the corn system would be detrimental to the landed interest, he was not so great a patriot but that he should think it his duty to maintain himself in that situation in society in which it so happened that he was placed. But while he avowed the possibility of this dilemma —and he did so without hesitation—he had the satisfaction to add, that he was by no means subjected to it at present; because he felt and believed, that in maintaining the interests of his own class and station in society, as regarded the effect of the present motion, he was maintaining the interests and safety of society at large. He stood, in fact, in the rather singular predicament, of being about to vote for a motion, without participating in any of the views of the hon. member who had brought it forward. He did not think that the proposition of the hon. member for Bridgenorth would produce any of the opinions or expectations which he anticipated from it: nor did he expect any of the results which the opponents of the measure threatened from it. But he would support the motion on different grounds—he would vote for it, because he was persuaded that the particular interests of the land-holder and the general interests of the country were one and the same, and that they did not consist in the objects which the hon. gentleman wished to see effected. With respect to the noble lord who had spoken that night upon this question with so much eloquence, and such patriotic feeling, he could not concur exactly with him in his view of the subject; but, while he himself had arrived at a very different conclusion from the noble lord, he could not refrain from bearing, with all other members who had heard that speech, a most willing testimony to the disinterestedness and the great ability which it had manifested. The hon. member who seconded the motion, had urged one or two arguments in which he fully concurred, and he had relied upon another position, from which he totally dissented. He agreed with that hon. member, that the welfare of society was best promoted, not by employing a great number of hands to produce what would, after all, be a small supply for the consumption of the whole people, but by creating a large produce by the skilful and well-directed application of the labour of a few. There were many who thought it a matter of discredit and reflection upon the agricultural portion of the community, that they were less numerically important than the manufacturing classes; but he agreed with the hon. gentleman who seconded the motion, that the great and striking evidence of the opulence and prosperity of the country was comprised in the fact, that, with the small proportion of the community, numerically speaking, of which the agricultural interest consisted, such was the skill employed by them, and the knowledge and experience they brought to their labours, that, although one-third only of our whole population was employed in agriculture, they raised sufficient produce to keep the entire community in a state of prosperity and abundance—for such, notwithstanding the impediments occasioned by partial and adventitious visitations, was the general condition of the people of this country. This result of the labours of the agricultural classes exhibited a spectacle not equalled in any country in the world. There was no other nation, which by a third of its population, was able to raise a sufficient supply for the consumption of all its inhabitants; yet this was the effect of the labours of the English agriculturists; four millions of the people being engaged in that occupation, while six millions were employed in commerce and manufactures, and two millions devoted themselves to the learned professions and scientific pursuits. This circumstance gave to this country a superiority over any other nation in Europe. In France, for instance, whose population amounted to thirty millions, four-fifths of that number were employed in agriculture, and the remaining fifth composed the manufacturing classes. The redundancy of the agricultural population, and the small division of property in that country, created a consumption as rapid as the supply, and the necessary consequence was, that the manufacturers were poor and insignificant in number. The manufacturer could not be rich unless the agriculturist was rich too, and the agriculturist could not be rich unless a great return was made to the manufacturer for his produce. Nothing could be more clear than the fact that there could be but one interest between the agricultural and the manufacturing classes. The only reason that England had so large a body of manufacturers—the only reason why she was enabled to support them—was, that her agriculturists produced with so little labour so much more than was needful for their own consumption. The living of each party being made out of the exertions of the other, it was impossible that either could be rich without their prosperity being mutual. The more the agriculturist's labour produced, the more he had to sell to the manufacturer; the less exertion the manufacturer had to lay out upon his commodity, the more the agriculturist received in the exchange. This was the plain and simple view of the question; putting aside for the present all those difficulties which arose from combining it with the subject of the currency—difficulties which seemed to belong, indeed, to the question of the currency—let it be discussed in what shape, or to what effect it might. Setting those difficulties aside, the point to be accomplished was the due adjustment of that trade which was always going on in the country—the exchange of their respective articles of produce between the agriculturist and the manufacturer. Then, hon. gentlemen said—"Give the manufacturer cheap corn, and he will give you cheap commodities;" but those who reasoned thus, spoke without consideration—because the terms "dear" and "cheap" applied in such a way, became convertible. To say that manufactures were dear, was to say, in other words, that corn was cheap; and vice versa; for, in the whole, there only was an exchange of one article for the other. Both trades might flourish; the greater and easier production of both was an advantage to both; but, that the produce of both should be dear, was impossible. And those who were disposed to endanger the safety of agricultural property were short-sighted in their views of their own advantage; since they endangered the stopping of the source from which all their own means of existence were derived. Without the agricultural produce, it would be impossible for the manufacturers to live; and the members of learned professions, such as the law, who, however valuable in their ministry, were not immediately producers, would soon find that their assistance must be dispensed with by society; for that there would be no means of paying them for it. If any man doubted this principle, let him look at the way, at the degree, in which scientific pursuits were paid for in England, and the amount of payment which they received in countries on the continent, where agriculture was a less productive and profitable pursuit. He did not entertain such high sentiments of patriotism as to say that he was prepared to merge himself and those connected with him, for whom he at least entertained a concern equal to any he felt upon public affairs, in some scheme for the public advantage; but he would say, that it was the interest of the class of society to which he belonged, to do that which advanced the interests of all; and that of the labouring man as much as the rest. But he repeated, that this difficulty was not one to which he need attend; for he was convinced, that that which was his own interest was the interest of the country at large. There were points, however, as he had premised, in the speech of his hon. friend, from which he was compelled entirely to differ. His hon. friend, speaking upon the application of capital, had observed, that, by a sufficient outlay, the mountain of Snowdon might be brought into a state of cultivation. No doubt that might be done; but that, he should say clearly, would be a misapplication of capital; because, how could it be done but by such a misapplication of capital—such immense labour and increase of numbers—that though you would positively augment the gross produce, still you would add so many more to partake of that produce, that the proportion between the gross produce and the whole population, would be in a more disadvantageous ratio than if the mountain remained an uncultivated spot. Thus, it was not the actual quantity produced in any country which constituted poverty or wealth, but the quantity produced with reference to, and in comparison with, the number employed in the production or cultivation. A country of very small gross produce might be richer than a country where the produce was very large; because, the numbers employed in cultivation might be comparatively less in the first than in the latter. France, for instance, with only one-half of her present population, and keeping up all her existing produce, would, perhaps, be a richer country than England, but the very scheme of her law, by preventing the accumulation of wealth, cut at the root of every thing like solid and lasting prosperity. It had been said, that people were elated with that which was their destruction. It seemed to be so in France; for there the greatest madness had been shown in opposition to a law, which, even if passed, would have taken a long time to restore her to a state of competent wealth. Gentlemen said, that the people of that country were well off. But the thing was impossible; it could not be. It was not necessary to go to France to know that it could not be; for it was clear, upon considering the operation of the law he spoke of, that landed property, which was inherited equally by the sons, must be growing less and less, and more and more sub-divided every year. Under the influence of such a system, it was impossible that accumulations of such property could take place in France to any extent; yet, until that was the case, she must go on, getting worse and worse, weaker and weaker, poorer and poorer, every day. But, if he agreed with his hon. friend as to his instance of the cultivation of Snowdon—that such a proceeding would be manifestly a misapplication of capital—he could not agree with him that the Corn-laws, by keeping up the price of provisions, had in any degree injured the labouring classes of the community. His opinion was, that they produced, in fact, a directly contrary effect—that they injured—not the working classes, but the landed proprietors; though, even this not in the way which was contended for by the hon. member for Bridgenorth. To the labourer, as it seemed to him, neither the price of bread nor the money price of any other article was a matter of importance. It might be a matter of some little consequence to the labourer's employer, who wished to get his work done as cheaply as possible; but the labourer himself had no interest in it; and upon this point it was worth while to take notice, how anxious the manufacturers, who objected to remunerating prices in favour of the agriculturists—how anxious they were to have remunerating prices for themselves. From Glasgow, Paisley, and other manufacturing towns, all the story was of "stagnation in trade," and "heavy low prices"—complaints which, certainly, did not come with a very good grace from gentlemen who were so very desirous to have a "heavy low price" put upon corn. In truth, what was the price of corn, or any other article in the country, depended chiefly upon the state of the currency; but the real question—the amount of the reward received for labour—that always depended upon the quantity which the country had of surplus produce. The hon. seconder of the motion had spoken of "liberal wages." Now, as far as he understood what was meant by "liberal wages," there could be no such thing. Individuals might be liberal, but nations could not. In the great concerns of a country, there could be but one way of carrying on business; namely, that which was to the advantage of the person who carried it on. The value of the labour was the question; that was, what it would fetch, and the amount of that would depend upon competition; and, as far as by "liberal wages" was meant any arrangement which tended to keep up a high price of labour, the result of that course must necessarily be, the throwing a considerable portion of the labouring classes out of employ, and consigning them to starvation. The petition from Blackburn, lately presented, came from a very distressed class of the community. They also complained of the high price of corn; for, except among the unfortunate landed interest, a complaint of the high price of corn seemed to be the order of the day with all classes. In this instance, however, it was only the expressed gravamen of the complaint; while the real evil deprecated by the petitioners was the introduction of the power-looms, by which, it seemed, a little boy or girl could accomplish the production of work that would have required the application of several machines upon the former construction. But these evils were the inseparable attendants upon the introduction of all great discoveries in art; and might have been as reasonably made on the invention of the plough by him who had been accustomed to dig with the spade; or, to go still further back, with the nails and fingers. He, for one, was as ready as any man to afford temporary relief where severe and pressing distress called for it; but every man who attempted to legislate upon such principles as those which he had just alluded to, would, at once, put a bar to those sources of wealth and aggrandisement by which the prosperity and greatness of the country had been hitherto maintained. He thought the country gentlemen in error, if they supposed the Corn-laws were requisite to maintain the prosperity of the landed interest, or that the abolition of them would not benefit both them and the rest of the community. Their interest was closely allied with the interest of the other classes, and the former could not prosper if the latter did not flourish. There was one fact which he had almost forgotten, to which he thought it of importance to advert. This fact was, that, during the periods of high prices, a very large quantity of corn had been annually imported into this country. It was wrong, therefore, to say that low prices would necessarily be caused by importation. The fact was, indeed, opposed to theory; but, when he saw that fact occurring during a period of twenty years, he preferred the fact to the theory; and he believed that, during a part of the time when the importation was largest, the price of wheat was 120*s.* a quarter. But he had another theory to account for this, and that was, that the more food there was for the manufacturers, the more manufacturers there would be; the more their skill would be excited, and the greater return there would be for the produce of the agriculturist. It might be, that a part of that food came from abroad; but it was, in his estimation, of little consequence where it came from—whether grown in this country, or dropped from heaven, like manna—the advantages would be the same. He would say, therefore, let the trade in corn be free; and he was ready to vote for a free corn trade. The more the manufacturers increased, the more they would produce; the better off would the agriculturists be, and all classes would be richer. Since the prohibition to import foreign corn into England, corn had been at a certain price—perhaps higher, rather than otherwise—and this had certainly extended cultivation, and caused more corn to be produced, so as to supply the wants of the people better than before. But the manufacturers had also increased, both in skill and numbers; and, though more food was produced in the country, they had ample returns to pay both the grower of food here and abroad, and there was a greater revenue in the country. For much of this prosperity we were indebted to that law of primogeniture, which was, he believed, peculiar to this country, by which estates were kept together, and descended in the same families for many generations, and which led to the establishment of large farms, and all that improved cultivation, for which this country was distinguished, and to that surplus food which was the means of paying all the other classes. He believed these things necessarily went together, and they were accompanied by better modes of conveyance, greater mechanical and manufacturing ingenuity than were to be found in other countries, by which the towns gained in their turn, and were enabled to make large returns to the country, and the whole increased in wealth. He did not think, therefore, that he was, as a landed gentleman, making any sacrifice by voting for the motion. He laid claim to no great virtue in doing it, but he thought he was promoting the public interest by such a vote, and not injuring the landed interest. He quite agreed with the hon. member for Bridgenorth, that there was no measure which caused more extensive mischief than the Corn-laws. If we would not take the corn of other countries, which was, perhaps, all they had to sell, it was impossible they could take our manufactures. If we forbad importation, we also, necessarily, forbad exportation. He thought the right hon. the President of the Board of Trade not consistent with himself. He wanted free trade, or, rather, he talked of wanting it; and with that he connected reciprocity, and required protecting duties. But these things were incompatible. Protecting duties only made us pay dearer for commodities made at home than we should pay for similar commodities imported from abroad. Another injury such duties inflicted on us was, to make us engage in undertakings for which we had no natural advantages, and refrain from prosecuting those manufactures for which, having natural advantages, we could obtain large returns by exportation. The hon. baronet concluded by saying, that he thought the range of mischief caused by these laws very extensive; that it was not possible to inflict an injury on others without injuring ourselves; that he had no objection whatever to a free trade in corn; and that he thought such a trade would be of the greatest benefit to the landed interest [cries of question!].

Mr. *Brougham* said, that taking warning by the impatience manifested by the House, he should address himself shortly and plainly to the simple question before them. That question was, whether they should go into a committee of the whole House, for the purpose, as he understood, of ascertaining whether or not some legislative measure might not be introduced which would settle this question? The right hon. gentleman opposite would not, however, accede to the proposal; he would not run the risk of prolonging the session a few short days, or a week or two at most, to enable them to settle this question—the final settlement of which, he believed, settled how it might be, would be of far greater importance than any other. Important and extensive as he deemed the consequences which would be involved in settling the question either way; highly important as he thought the different details connected with the subject; yet they were all, in his estimation, of far less importance to the country, than finally settling the question which the right hon. gentleman said they would not have time to discuss. He referred, no doubt, to the circumstance that the parliament was now drawing to its close, and the members would soon have to meet their constituents; and it was under these circumstances that the right hon. gentleman thought the Corn-laws an unfit subject for discussion. He could not, however, view the matter in that light. He could not but conceive, that, before they separated, they ought to take some step to satisfy the country, and put this important question in a course for final decision. The course pursued by the right hon. gentleman was one which it was not possible could give satisfaction to either of the great parties interested in the decision. Coming to no distinct resolution, each party remaining in uncertainty as to the future state of the question, it was inevitable that both would put their own construction on it, and the construction of each would be influenced by their apprehensions. What those constructions would be, the House might learn from the speech of the hon. member for Surrey, who was one of that class for whose interest the postponement was, if for any, beneficial; and he had expressed his aversion to the postponement. He had found no satisfaction in it, but had said he saw, with fright and alarm, the fearful doctrine which was connected with the postponement. But, would the manufacturers, would the consumers, would the great mass of the people, be contented with this delay? He believed no such thing; and by not discussing the question now, they would come to a resolution that would, of all others, be the least likely to enable gentlemen to meet their constituents with satisfaction. There was one other reason which had been mentioned for opposing the motion of his hon. friend, and that was the only reason which had any weight with him; he meant, what had been said of the present unsettled state of the currency; but he did hope, that, before the committee should have concluded its labours, something might be settled with regard to the currency, which would either show the difficulty of settling the question, or enable them to come to some resolution which would, at least, promise a satisfactory conclusion. By putting it off till next session, it could not be hoped that it would even then be settled. And, in what state, he would ask, did things in the mean time remain? While things were in this state, no man could tell what his land was worth; no man could sell land; no man would buy land; no man could take a farm; contracts would not be made, or could not be kept; no man could tell what rents would be, and hardly what they now were. He doubted the argument adduced by his hon. friend, which went to show, that lowering the price would not affect rent. The present system was never intended as a final arrangement. It had not been so stated when it was proposed, and it had not been so understood by those who supported it. He was not himself then in parliament, but this he knew to be their conviction. If that arrangement was only temporary, the time was now come for making it permanent. It was now time to sweep away that system of averages which was liable to all the objections made to the system of prohibitions. It was now time to get rid of what had been called the sliding duties, and repeal the prohibitions permitting the ports to be continually open, only laying on such a protecting duty as would enable the agriculturist to grow his produce on such terms as to stand the conflict with the foreign grower. He was not prepared to contend, that lowering price would not lower rent; and not supposing that this would be the effect, he would not utter one word that should encourage any delusion of that nature; but he conceived that the Corn laws, if they gave high rents, caused extensive fluctuations in them, and he concluded that repealing them would give permanent and steady prices, lowering rents, but preventing fluctuations in them. To say that the repealing the Corn laws would not lower rents, would, he thought, be treating the landed interest unfairly. It would tend to lower rents, not to fix them, and with lower rents, he hoped there would be lower wages; at least with one class of the community. He hoped that the high wages for public services, the high salaries for public men, settled at a time when every thing else was high, would be lowered when every thing was lowered. They were increased a few years ago, and he hoped they would be revised and diminished, thereby affording relief to the landed interest, by lessening the public burthens. They would, if the Corn laws were repealed, derive relief from diminished poor-rates, from diminished county-rates, and from a lessening of the public burthens; and, expecting to be relieved of all these, the landed interest, under such circumstances, ought to wish the question set at rest as speedily as possible, and should, like him, vote for the motion of his hon. friend.

Mr. *Whitmore* briefly replied. He said, that in the temper of the House, he would not notice the arguments which had been brought against his proposition; but there was one personal imputation which he wished to correct. The hon. member for Surrey had stated, that he had caused great inconvenience by the notice of his motion; that since he had given notice of it, no sales could be effected but from day to day, and that the price of wheat had fallen. Now, he happened to have the returns of the price of wheat before him, and what was the fact? On February 15, 1825, the price was 60*s.* 4*d.* the quarter; while on March 15, 1826, the price was 67*s.* 11*d.* showing, whatever other effects his notice might have had, it had not had any effect on prices.

The House then divided: For the motion 81; Against it 250; Majority 169.

List of the Minority.

Allen, J. A.
Barrett, S. B. M.
Bentinck, lord W.
Bernal, R.
Birch, J.
Bright, H.
Brougham, H.
Burdett, sir F.
Butterworth, J.
Buxton, T. F.
Calthorpe, hon. A.
Calthorpe, hon. F. G.
Calvert, C.
Caulfield, hon. H.
Colborne, N. W. R.
Corbett, P.
Cradock, col.
Creevey, T.
Crompton, S.
Davies, col.
Denman, T.
Dowdeswell, J. E.
Dundas, hon. T.
Ellice, E.
Evans, W.
Fergusson, sir R.
Gascoyne, general
Gaskell, B.
Grattan, J.
Grenfell, P.
Grosvenor, hon. R.
Hobhouse, J. C.
Hodgson, F.
Hume, J.
Innes, J.
James, W.
Kekewich, —
Labouchere, H.
Langston, I. H.
Leader, W.
Lester, B. L.
Leycester, R.
Lloyd, J. J.
Maberly, J.
Maberly, J. L.
Mansfield, J.

Martin, J.
Mildmay, P. St. J.
Milton, lord
Monck, J. B.
Moore, P.
Ord, W.
Palmer, general
Palmer, C. F.
Pares, T.
Philips, G.
Ramsbottom, J.
Ramsden, J. C.
Rice, T. S.
Ridley, sir M. W.
Robarts, A. W.
Robarts, colonel
Robinson, sir G.
Rumbold, C. E.
Scarlett, J.
Stanley, lord
Sykes, D.
Taylor, M. A.
Thompson, alderman
Tierney, rt. hon. G.
Tulk, C. A.
Wall, C. B.
Warre, J. A.
Whitbread, S. C.
Wilson, sir R.
Wilson, T.
Wigram, W.
Wood, alderman
Wortley, S.
Wyvill, M.

TELLERS.

Philips, G.
Whitmore, W. W.

PAIRED OFF.

Gurney, Hudson.

HOUSE OF COMMONS.

Wednesday, April 19.

ITINERANT PARLIAMENTS.] Mr. *C. Pelham* moved his resolution for occasionally holding the parliament in the capitals of the kingdom other than in London. The hon. member prefaced his motion with a few words, which were inaudible in the gallery. The first resolution set forth, that the High Court of Parliament and the Supreme Judicature of the kingdom, ought, from the great increase of the population, and the additional activity which pervaded all classes throughout the country, to be held, from time to time, in the different capitals of the kingdom, instead of being confined to London.

The motion was not seconded, and fell consequently to the ground.

RESOLUTIONS RELATIVE TO PRIVATE BILL COMMITTEES.] Mr. *Littleton* said, that, in laying before the House the resolutions he was about to propose, he might take it for granted, that, as they had been printed, their details were already known to honourable members. In preparing those resolutions, and in moving the appointment of a committee to investigate this subject last year, nothing was further from his thoughts than the hope of devising an effectual and decided remedy for all the evils which were complained of as being connected with the present system of getting private bills through that House. He deemed it, however, necessary, for the benefit of the public at large, that some alteration should be made in the constitution of committees on private bills. He knew that the complaints which were made against the proceedings of committees out of doors, could not be effectually cured by any regulation of those committees, or even by the interference of the House itself; indeed he believed that the members of that House, in many cases, had most reason to complain of the course taken with reference to private bills. They were all aware that the conduct of conflicting parties, out of doors, was such as imposed great labour, and inflicted no little pain on those who were obliged to attend private committees. In the most trifling cases, even when the most trifling road-bill was in progress, the litigating parties took every means that came in their reach to create delay and increase the expenditure. This, however profitable it might be to some persons, became a subject of remonstrance and complaint amongst the parties in the country, and the whole blame was immediately attributed to the forms of the House, or to the constitution of its committees. But, where a bill was of extensive importance—where it held out some prospective advantage to the immediate interests of one party, while it threatened to affect unfavourably the interests of another—they well knew how acrimonious the opposition became. Efforts of every description were resorted to, for the purpose of effecting the particular object of each of these conflicting bodies. In such a state of things, it could not be expected that either party would be reconciled, at the time, to the decision of the House; and though they were themselves to blame, they threw all their complaints on parliament. The parties by their litigious conduct, harassed and wearied the members of the House; and the proceedings they frequently adopted to carry their point were alike destructive of the ends of public and private justice. He did not know of any course by which all those evils could be removed; but if any of them could be fairly traced to the constitution of the committees, or to the conduct of individual members, the House had a right to apply a remedy. They knew that cases had occurred in committees which had been brought down stairs; and complaint made of them to the House, where members were found to have conducted themselves in a way which showed that they were regardless of their own honour, and of the interests of the public. He did not feel it necessary to particularise those cases. He thought it necessary to abstain from doing so, though he certainly could name them; but, if gentlemen were disposed to deny the facts he stated, at least they must allow, that, constituted as the committees were at present, it was possible that misconduct might arise; and his resolutions would meet that defect. Several remedies had been proposed to remove the existing evils. One was—if it could be called a remedy—to leave things just as they were at present, and to make every impropriety committed up stairs a subject of complaint to the House. He thought it only necessary to mention, that this was the system that had been acted on for years, and to ask, was it fit that it should be continued? Another plan was, to have, at the commencement of each session, a universal system of select committees, to be nominated by ballot, to which private bills should be referred. But, when they looked to the important occupations of the House, some members charged with the consideration of affairs deeply affecting the national interest—others employed on professional and commercial subjects—the time of the county members taken up with an extensive and laborious correspondence—many gentlemen absent from age or sickness, and the occasional absence, upon urgent business, of all—when they considered this, he did not think the proposition could be carried into effect. There was another plan, more easy of adoption, but certainly less constitutional in its nature. That was, to refer every bill which seemed likely to be contested, to a commission of inquiry. He, however, would oppose this departure from the old established custom. He therefore thought the safer and more preferable course would be, to adhere, as far as possible, to the system established at present, providing that, where any case of decided abuse in a committee up stairs was fairly made out, the parties complaining should be entitled to apply for a select committee, to be appointed by ballot, who should proceed with the consideration of the bill. This would prevent parties from having any ground or reason to complain that justice had not been rendered to them. Thus, though individuals who sat on the original committee on a bill, might, from local causes, be supposed to have some interest in the measure, no such undue bias could exist where a select committee was appointed by ballot. By this plan, one just cause of complaint would be removed. But, what was a still greater advantage, it would operate to prevent, in numberless instances, the necessity of having resort to a select committee. For how was it possible, when the members of a committee knew if they acted improperly, that their conduct would be brought before the House, and their decision would perhaps be reversed by a select committee, that they could act otherwise than correctly? Was it to be supposed, under such circumstances, that they would resort to artifice or unfair dealing, for the purpose of serving their own interests, or giving an undue preference to their own constituents? If this regulation were found to be efficient, it might be continued; but, if it proved otherwise, it could be modified or abandoned altogether. It appeared desirable to him that an alteration should be made in the present distribution of counties for the formation of committees on private bills. He did not know on what ground that distribution was framed, but he thought the inequality of the numbers of members in each list was too great. Thus, on private bills, for the county of Wilts, 194 might attend; for Somersetshire, 176; for Derbyshire, 80; for Leicestershire, 69; for Hampshire, 234; for Staffordshire, 66; and so on. He did not know the reason of this variation, but it produced most mischievous effects. He thought, therefore, that the resolution which he was about to propose, and which would secure a proper and efficient attendance for each county, would work a great deal of good. If these resolutions were carried, they must be considered only in the light of trial and experiment, and not as intending to interfere in any degree with the foundation of the present established system. By agreeing to them, the House would remove much that was complained of out of doors; and as much, he thought, as their own honour required, or the interest of the people demanded. The hon. gentleman then moved his first resolution,

"That the present distribution of counties, for the purpose of forming committees on private bills, prepared under the direction of the Speaker some years ago, has, from the great inequality of the numbers of members contained in each list, and from other causes, been found not to answer the object for which it was formed."

Mr. *S. Whitbread* seconded the motion.

Mr. *R. Colborne* observed, that, if any malpractices occurred in a private-bill committee, under the present system, it was competent to any member to complain to the House, and to have the evil redressed. The hon. mover seemed to think that his plan would make members more scrupulous in the discharge of their duties on private committees than they were at present. But public opinion was the great corrective in cases of that kind, as well as in those of every other description where public men were employed. He knew very well that litigious men might defeat a measure up stairs, by delaying time, and increasing expense. But it was difficult to say by what possible means that could be prevented. His impression was, that individuals would feel very unwilling to encounter the expense attendant on an appeal to a select committee. He believed the House would find it impossible to apply any remedy to the evil, except by the adoption of a summary process.

Mr. *W. Peel* hoped the resolutions of the hon. gentleman would be agreed to. The unjust and disgraceful manner in which the private business of the House was carried on, rendered any change desirable. Any gentleman who entered a committee room must feel disgusted at the conduct of parties engaged in private bills. There was nothing like a fair and just consideration of the subject. He had seen every art exerted to defeat a bill, and every stratagem adopted to procure a vexatious and ruinous delay. If these resolutions were carried, it would put an end to this system, and with it, to those innumerable letters of invitation which gentlemen found on their tables every morning, soliciting them to come down and support bills without having heard one word of the evidence on which they were founded.

Mr. *S. Whitbread* gave his cordial assent to the resolutions. The great evil of the system, and that of which he must loudly complain, was the power which it gave to every member to come down to the House and vote on a bill without having heard or read a particle of the evidence relative to it. The only objection against the resolution was, that members could not find time to perform the duties which they imposed; but he had always understood, that members were sent to that House to give their time and attention to the discharge of duties which they had voluntarily undertaken to perform.

The *Chancellor of the Exchequer* said, he had not had much experience in private business up stairs: but, from all he had ever heard on the subject, he was led to believe that there was something in the manner in which it was carried on not at all creditable to the House, or beneficial to the interests of the community. With regard to the hon. member's resolutions, it was difficult to say beforehand, how far the whole of them or any part of them, might be calculated, satisfactorily, to meet the evil which had been pointed out. That could only be ascertained by experience; and, after all they had heard on this question—after being informed of the manifest grievances which arose out of those committees as they were at present constituted—they were called upon to do the best they could for the improvement of the system. If the resolutions failed, or if there were any insurmountable difficulty in the application of them, it would be competent to parliament to alter or rescind them. But it would be very much to be lamented, if, on account of any apprehended difficulty, they were to let the matter lie over, as they had done last year, without making any attempt to ameliorate the system. He therefore should support the resolutions.

Mr. *Calcraft* said, that, although he disapproved of the resolutions, he did not know, as yet, whether he should take the sense of the House upon them. He conceived that what the chancellor of the Exchequer had just said, was a very strong reflection on the conduct of persons whose proceedings it appeared from his own statement he had not witnessed. A great complaint was made, that members voted without hearing the evidence. Now, in that House individuals frequently decided on a subject without hearing the argument; and in the committees up stairs, gentlemen acted upon confidence, just as they did below. He knew not, for his own part, how any resolution of the House could alter this. The object of the present resolution was, that the Speaker should alter the mode of composing committees, because it was found that for some counties there were fewer, and for others a greater, number of members to be called upon to serve on committees. As well might the hon. member who, he presumed from this, was a reformer, come to the House and pray an alteration in the election for different boroughs or towns, because in some there were three electors, in others twenty, and in others three thousand. But there was another objection to the measure. It was anticipating misconduct on the part of the next House of Commons. It was, in fact, making regulations for those who were not yet born. This might, in fact, be considered the last legacy of the present parliament to its successor. The hon. gentleman having seen exceptionable conduct in this parliament, anticipated similar conduct in the parliament that was to come. Now, he was not prepared to pronounce judgment on the ensuing parliament. It was, he conceived, rather premature to do so. The hon. member here adverted to the second resolution, for the better regulation of private committees, and asked, if the hon. mover seriously expected that the members for Cornwall would attend to the private business of Yorkshire, or if the members for Ireland and Scotland would attend to English private business? If he thought so, he was mistaken. They would come down and vote; he would warrant they would do that; but as to a regular attendance, it was out of the question. Next to the hon. mover came the hon. member for Tamworth, who thought this plan would relieve members from pressing letters and teasing cards, calling upon them to vote upon this or that side in committee, on a private bill. But what could prevent these letters from being sent as usual? And, if they were sent, what hon. member was likely to be influenced by them? A member would go down to the House and do his duty, uninfluenced by such applications, even though made by the most beautiful woman in London. A good deal had been said about the delay which frequently occurred in private committees. Now, much of that delay might be attributed to the counsel, who were sometimes called upon to attend twenty committees. He did not mean to say any thing personal of any professional man, but it was sometimes necessary to get up a debate in private committees, until the counsel arrived; otherwise the junior counsel took up the case, or the committee was adjourned. Such was the Utopian system of the hon. member. This select committee, it appeared, was to have the power to award costs. Now, he demanded whether the House had ever before assumed that power? That there were, at times, irregularities in those committees he would admit; but not to such an extent as to prevent justice from being done by the House in those cases. He never knew a case, which was properly and clearly made out, where the House did not speedily set the matter right. It was futile to tell him that they could not place the same confidence in the justice of the committees up stairs as they might place in the justice of the House itself. He could not assent to this Utopian doctrine. One case he had himself complained of; and the hon. gentleman, who was now the great reformer, was in that instance the principal performer. But the House soon set that case to rights; and he was quite certain that any man or woman might obtain justice at their hands with equal ease.

Lord *Althorp* said, that the present resolutions did not go precisely and directly to any one of the causes of complaint. He was afraid that the right of appeal to a select committee would not produce the benefit to the public which the hon. member anticipated, while the new system must inevitably throw a great deal of additional labour on the members of that House.

Sir *M. W. Ridley* said, he felt one great objection to the plan now proposed, which had not yet been noticed. That objection struck him so forcibly, that he hoped the sense of the House would be taken on the resolution. It was impossible to carry into effect the resolutions, without increasing the trouble and labour of the members of that House. He, however, had never shrunk from any parliamentary labour that was imposed on him. He had taken the burthen on himself; and, therefore, he had no right to complain. But let it be recollected, that in the next parliament, not merely a great part, but the whole of the members of that House would probably be occupied on election committees; and let gentlemen calmly consider, what an immense load of additional labour would be thrown on the members and the officers of the House, if they were called on, under these resolutions, to ballot for select committees to consider private bills. For this reason, he would oppose the motion.

The resolution was agreed to. The Speaker then read the second resolution, in the following terms:—

"That, with a view more nearly to equalize numbers, and to correct too strong a prevalence of local interests on committees on private bills, it is expedient that a new distribution of counties should be made, containing in each list, as nearly as may be, one hundred and twenty members; one half only, or thereabouts, to be taken from the county immediately connected with the object of the bill and the adjoining counties, and the other half from other more distant counties of Great Britain and Ireland; and that the members serving for such counties, and the places within such counties, should constitute the committee on each bill."

It was agreed to, and the following were also read and carried.

"That Mr. Speaker be requested to direct a new distribution of counties to be prepared at the commencement of each session, in such manner as shall be approved of by him, conformably to the principle of the foregoing resolution."

"That every committee on a private bill be required to report to the House the bill referred to it, with the evidence and minutes of the proceedings."

"That a committee be appointed at the commencement of every session of parliament, to be called 'the Committee of Appeals upon Private Bills;' which committee shall consist of all the knights of the shire, all the members for cities, and such other members as may be named therein; so that the whole number appointed to serve upon such committee shall amount to two hundred at least."

"That where any party interested in a private bill, who shall have petitioned the House, and shall have appeared in support of his petition, by himself, his counsel or agent, in the committee upon such bill; or, where the promoters of a private bill shall be dissatisfied with any vote of the committee upon such bill, and shall petition the House, setting forth the particular vote or votes objected to, and praying that they may be heard by themselves, their counsel or agent, against such vote or votes; such petition shall, together with the report of the committee upon the bill, and the minutes and evidence taken before such committees, be referred to a select committee of seven members of the House, to be chosen by ballot from the committee of appeals upon private bills; which select committee shall hear the arguments of the parties complaining of, and also of the parties supporting, such vote or votes, and shall report their opinion thereon to the House."

The Speaker then read the next resolution; viz.

"That whenever a petition shall be presented, complaining of any vote of a committee upon a private bill, the House will fix a day whereon to ballot for a select committee, to whom such petition shall be referred, upon which day, at a quarter past four o'clock, or as near thereto as the question which may be then before the House will permit, the Speaker shall order the doors of the House to be locked, and the names of the members composing the committee of appeals upon private bills being written upon separate pieces of paper, and put into the glass, the clerk shall draw therefrom the names, until seven members of such committee, who shall be then present, and who shall not have voted in the committee upon the private bill to which the petition refers, shall have answered to their names; which seven members shall be the select committee to whom such petition shall be referred, and such select committee shall meet for business the following day at eleven o'clock, and continue to sit de die in diem, until they shall have reported upon the same."

Mr. *Bankes* observed, that it would be impossible, in his opinion, to carry this complicated system into useful operation. The experiment might indeed be tried for a single session, but the duty imposed upon members was already sufficiently onerous. The effect of the resolutions would be, to increase litigation before the House and its committees; and this litigation would, of course, be attended with much additional expense to the parties concerned in private bills. He had no notion, that, after the trial of a single session, the project would be persevered in.

Mr. *S. Wortley* said, that if, after a fair trial, the experiment did not answer, the machinery might be altered. All members would be liable to serve on the committees of appeal, and no exemption would be allowed. He did not think that at any time more than two days would be occupied by the additional investigation.

Lord *Milton* contended, that it was impossible for the hon. member, with any certainty, to predict that the additional investigation before a committee of appeal would only occupy two days, when it was intended to admit counsel, who would exert all their ingenuity to spin out trifling questions to a most expensive and tedious length. He very much doubted the expediency of any part of the new and complicated system. Much had been said on this and other occasions, against the proceedings of private committees; but he did not feel the same distrust of their impartiality. Objections might be made, and sometimes, no doubt, misconduct might be detected, but, upon the whole, he was satisfied that substantial justice was done before these tribunals.

The resolution was again read from the chair.

Mr. *Calcraft* again expressed his decided objection to all these needless and inconvenient forms, which would give rise to endless disputes and endless business. Already the severity of the calls upon the time of members was so great, that none but those of strong constitutions could endure it. If these ballots with locked doors, and all the other forms, were to take place before public business commenced, it would postpone it indefinitely. It was already a serious evil that discussions of important questions were deferred until so late an hour, that the House were weary before the principal topic of the night could be introduced. Ministers themselves were often unable to bring on debates until a most inconvenient hour. Under these circumstances, he should take the sense of the House upon the last resolution read from the chair.

Sir *T. Acland* admitted, that the only real use he expected from the appointment of the committee of appeal was, that members would be deterred from a course hitherto sometimes pursued by them, by the knowledge that there was a tribunal before which their conduct in private committees might be investigated. Upon that conduct he would not now dilate, as it had already been sufficiently described and censured.

Lord *A. Hamilton* objected strongly to the erection of any tribunal to arraign the conduct of members, where they might, as it were, be put upon their trial, and counsel employed against them, without the possibility of adequately meeting the charge. He was of opinion, that if the resolutions were carried, they would accomplish nothing by way of remedy for the existing evils.

Mr. *S. Wortley* said, that the case had not been fairly stated. The committee would not be called on to decide upon the conduct of any member. All that they would have to do would be, to decide upon questions of law and fact, much in the same manner as the committee on standing orders.

The House then divided: For the motion 42. Against it 34. Majority 8. The remaining resolutions were then agreed to, viz.

"That no member of such select committee shall absent himself therefrom during its sitting."

"That such select committee shall, if they think fit, after the hearing of such argument, order the party or parties complaining, to pay the whole or any part of the costs attending the same: and that only one counsel or agent shall be heard in support of the petition of any one party." Resolution, as amended, agreed to.

"That the party or parties complaining shall, previously to the balloting for such select committee, enter into recognizances, he, she, or they, in the sum of 300*l.*, and two sureties in the sum of 150*l.* each, for the payment of such costs as may be awarded against him, her, or them."

NATIONAL GALLERY.] Mr. Herries brought up a copy of the Treasury Minute for the purchase of the three pictures which had lately been added to the National Gallery.

Sir *C. Long* said, that being one of those at whose suggestion those pictures had been purchased, he thought that the public had a right to be satisfied with respect to the transaction. He confessed that he knew of no other way in which purchases for the National Gallery could be so satisfactorily effected as by the recommendation of a committee of competent persons. It was under such an arrangement that those pictures had been purchased, and it was the intention of government that no purchases should in future be made without a similar recommendation. He thought that, when the House looked at the names of those by whom the purchase had been recommended, they would find that they had every security they could desire. Those names included the earl of Aberdeen, sir George Beaumont, and sir Thomas Lawrence. When he mentioned sir George Beaumont, he could not help observing, that at the very time he was advising this purchase, he was presenting his own collection [hear, hear!]. With regard to the share which he himself had had in the formation of the National Gallery, he had found it rather an ungracious office. He was continually receiving letters, offering collections, and sometimes single pictures for sale, and inviting him to call upon the possessors, and give his opinion as to their worth. In some instances, he had, unguardedly, been induced to make the visit. What was the result? If he declared his opinion that the picture was a copy, or not the work of a master, he gave offence, and sometimes made the party his mortal enemy. The hon. member for Montrose, among others, had written to him to go and see the collection of a friend of his; but having made up his mind at that time not to visit private collections for the future, he had declined the offer; but in doing so, he hoped that no want of courtesy had been shown to the hon. gentleman. His only motive in declining the offer was, that he did not wish any longer to take upon himself the very thankless office of passing judgment on pictures in the possession of private individuals. It was at best an ungracious task to be obliged to pass an opinion on works of taste in the presence of their owners. If that opinion happened not to agree with the notions which the proprietors might entertain as to their excellence, nothing was more easy than to throw out insinuations of an injurious tendency, and to complain of a want of taste and judgment; and if, on the other hand, the opinion should be favourable, the owners were too apt to go into the market, and quote that opinion, whatever weight it might possess, for the purpose of raising, perhaps, a disproportionate price. The right hon. gentleman then proceeded to state, that so little inclination had been shown by government to add to the national collection by indiscriminate purchases, that since the gallery had first been formed, only four pictures, including these three, had been purchased. It was unnecessary for him to state, that those pictures were of the first class; as the concurrent testimony of artists and men of taste had fully admitted. He hoped the chancellor of the Exchequer would continue to proceed slowly and cautiously in the purchase of other pictures; and that none would be added to the collection but those of the highest order of merit. It had been suggested that government should purchase different collections of pictures; but he thought it would not be wise to do so, as it was well known that although those collections might contain some admirable pictures, the majority might be inferior; and he repeated, that none but first-rate works should have a place in the national collection.

Mr. *Bankes* agreed with the right hon. baronet, as to the propriety of purchasing separate pictures, and not whole collections. The three last purchased he considered works of great merit, and believed that one of them was worth nearly the whole sum paid for the three.

Mr. *R. Colborne* expressed his approbation of the purchases already made. They were the first specimens of the first-rate artists. There could not be a better foundation for a national gallery of paintings than those bought of the late Mr. Angerstein. To these were to be added the magnificent collection of sir G. Beaumont.

Mr. *Hume* wished that, in the purchase of pictures for the national gallery, the names of those on whose recommendation they were selected, might be made known to the public; because the names of the selectors would be a pledge of the genuineness and excellence of the pictures. He highly approved of the beginning already made for the formation of a national gallery. By the selection of works like the pictures of Mr. Angerstein and those of sir G. Beaumont, we should soon have a most magnificent collection of the finest works of art.

HOUSE OF LORDS.

Thursday, April 20.

Affairs of Greece.] Earl *Grosvenor* rose to ask a question of great importance, to which he hoped the noble earl opposite would favour him with a reply. The information which he wished to obtain related to the war between the Greeks and Turks. A letter had been published in the newspapers respecting the result of the siege of Missolonghi, from which it appeared that that place had fallen. The heroic defence made by that place must be looked at with admiration by every one. It had sustained no less than seventy-three attacks in the course of eighteen months, and greater gallantry had never been displayed. The defenders of Missolonghi had shown themselves worthy descendants of the heroes of Thermopylæ. He wished to know whether ministers had received any information respecting the fall of Missolonghi, and whether there was any hope of the Greek cause being at last taken up. That cause, if not entirely desperate, appeared to be almost so; but he was anxious to be informed if there yet remained any hope that the unfortunate Greeks would not be entirely abandoned. It was understood that there was a disposition on the part of Russia to come to rupture with the Porte, but he hoped and trusted that the annihilation of the Greeks was not to be made the price of the independence of Wallachia and Moldavia.

The Earl of *Liverpool* said, he could not give any other answer to the noble earl as to the report of Missolonghi being taken, than that he believed it was not taken at the date of the letter to which the noble earl had alluded. Whether the place was taken or not he could not say; but as it was not taken at the date of the letter, the fact contained in it could not be true. With respect to the other question put by the noble earl, as to whether the Greek cause was now desperate or not, he should only say, that the contest being one with respect to which this country was perfectly neutral, he did not consider it a subject for discussion in that House. The policy of his majesty's government had been that of strict neutrality, and that policy, whether right or wrong, was before the House and the country.

PETITION OF WEST-INDIA MERCHANTS FOR PROTECTION OF THEIR PROPERTY.] Lord *Redesdale* presented a petition from certain merchants and others of the city of London, who hold mortgages, or have made advances on West-India property. In presenting this petition, the noble and learned lord dwelt at length on the distress to which persons interested in West-India property had been reduced. At present, no person would advance a shilling on West-India estates. But, amidst their distress, the unfortunate proprietors were obliged to go on, or the slaves would starve. Thus, there was no hope for them, since they could not get rid of their property; and if they continue to cultivate, it was at a loss. Married women, whose settlements depended on plantations, and orphan children, were left entirely destitute. Persons who held mortgages, if they applied to the proprietors of plantations, could obtain no money. They had no resource but to institute proceedings in the West-India courts for the sale of the mortgaged estates; and if they adopted that course there were no buyers to be found. The noble and learned lord implored the House to reflect on the unfortunate situation in which the petitioners were placed, and to take into consideration the object of the petition, which was, to induce the legislature to do something towards restoring, in some degree, the value of this property, by the deterioration of which they suffered so much injury. With regard to the emancipation of the slaves, the noble and learned lord agreed with those who were of opinion that that measure could only be brought about by the operation of time. Rash and precipitate measures might be attended with the most mischievous consequences, and lead to all the horrors which the decree of the National Assembly had produced in St. Domingo. The prudent course would be, to teach the negroes to feel the value of property, and of some distinction of rank in society. Time was necessary for the cautious and prudent measures which this preparation for a state of freedom required. While the negroes remained all in a state of equality, this preparation could not be accomplished. It did not become him to throw out suggestions to the colonial assemblies for their guidance; but he thought that the steps towards such an object would be with most advantage taken entirely by the colonial assemblies themselves. The petitioners deprecated any interference with the colonial legislatures, as acts of power might produce effects which, at present, could not easily be foreseen. It seemed to be suggested as a principle, to be adopted on the other side of the Atlantic, that no further European influence should be allowed to extend itself there. He trusted, however, that, under all the circumstances which might arise, the colonies would always look for protection to this country, and would find it afforded them. Something, he thought, ought to be speedily done, to give confidence to the persons interested in the property of our West-India islands.

The following is a copy of the Petition:—

The Petition of the undersigned Merchants trading from London to the British West-India colonies, and others holding Mortgages and other Securities upon Slaves and Lands in the said Colonies, humbly sheweth—

"That your petitioners form a portion of those British subjects who have embarked capital upon the security of slaves, lands, and other property in the West-India colonies, in full reliance upon acts and declarations of the British legislature, which, during nearly two centuries, have sanctioned and encouraged such investments in furtherance of the cultivation and prosperity of those colonies.

"That among the statutes of the realm to which your petitioners refer, that of the 6th Geo. 2, c. 13 (entitled an act for better securing and encouraging the trade of his majesty's sugar colonies in America), declares by its preamble, 'that 'the welfare and prosperity of his majesty's sugar colonies in America are of 'the greatest consequence and importance 'to the trade, navigation, and strength of 'the kingdom,' and proceeds to enactments advantageous to the colonies. The act of 13th Geo. 3, c. 14, invites loans from aliens, on the security of freehold or leasehold estates in his majesty's colonies in the West Indies; and that of 14th Geo. 3, c. 79, legalizes the taking interest by British subjects for sums advanced on mortgages and securities of any lands, tenements, hereditaments, slaves, cattle, and other things, at the rate allowed by the law in the colony where the mortgaged premises lie.

"That the cultivation of the British West-India colonies, by the labour of negro slaves imported from Africa, had, in this long period, not the cognizance merely, but the express sanction and encouragement of the legislature, which, in the preamble to the act of the 23rd Geo. 2nd, cap. 31, declares, that 'the trade to 'and from Africa is very advantageous to 'Great Britain, and necessary for the supplying the plantations and colonies thereunto belonging, with a sufficient number 'of negroes at reasonable rates,' and proceeds to enact that 'the said trade shall 'be free and open to all his majesty's 'subjects.'

"That occasional efforts made by the colonial legislatures to check an excessive importation of slaves have been repelled and reproved by the mother country, whose deliberate counsels had established her African slave trade, and encouraged it upon grounds distinct from colonial interests before her colonies existed; that your petitioners, therefore, must protest against the injustice of throwing discredit upon West-India commerce and securities, by mixing up the case of those connected with that trade and property with the odium which in this free country is excited by the bare knowledge of the existence of slavery, an odium which, so far as the British West-India colonies are concerned, attaches not to your petitioners, but to the nation.

"That it cannot be disputed that the well-being and comforts of the slaves in our colonies have been materially and progressively bettered since the time when the nation was holding out the strongest inducements to an increase of that number, during which period, and even subsequently, when great Britain abandoned and abolished her African slave trade, no intimation, with any semblance of authority, was announced, of effecting an extinction of slavery in the colonies, otherwise than by the means which an able writer, zealous for the attainment of that object, has pointed out, 'the same happy means which formerly put an end to it in England, viz.—by a benign, though insensible revolution in opinion and manners, by the encouragement of particular manumissions, and the progressive melioration of the condition of the slaves, till it should glide insensibly into general freedom:' the emancipation looked to was declared to be that of which, 'not the slaves but the masters, should be willing instruments and authors.'

"That your petitioners, by means of their constant intercourse with the colonies, are enabled confidently to assert that there prevails throughout the proprietors thereof, a liberal and constant attention to the wants and comforts of the slave-population, which is evinced by a plentiful supply (even in times when the returns may be inadequate to the costs) of such articles as will contribute to their well-being, and this resulting as well from considerations of humanity as from the known and acknowledged fact, that, upon the effective strength, comfort, and contentment of the labouring population attached to it, essentially depends the value of any West-India plantation.

"That your petitioners are well aware that your right hon. House may command from the highest and most unquestionable authority, evidence which will fully bear out these assertions respecting the existing comforts and progressively improving condition of the slaves in our West-India colonies.

"That representations of a contrary

tendency, which, having been addressed to popular meetings, have excited those petitions which, from various parts of the kingdom, have been presented to your right hon. House, are not grounded upon such information and acquaintance with the subject as your petitioners have access to, nor upon that respectable evidence to which they have alluded, and to which they fearlessly appeal; but originating in exaggeration or misrepresentation, have, by zealous persons associated for that purpose, been successfully applied in irritating the feelings of the public, and inducing a hasty call for an emancipation of the slaves, with but small regard either to the advantage of the slaves themselves, or to the justice due to your petitioners.

"That the measures which, from motives of regard towards the slaves, have been adopted by his majesty's government, have unfortunately, and doubtless unintentionally, already caused a great deterioration of the property of your petitioners. These measures having been generally understood, as expressly preparatory to, and directly connected with, the emancipation of the slaves, and having not been accompanied with a distinct and explicit pledge of indemnification for the injury which property must sustain, not only in the attainment of the final object, but in the progressive operation of the means for its attainment. That owing to these causes, the confidence of capitalists has been influenced to such a degree, that West-India securities are become nearly valueless as transferable property—a circumstance which, at a period of general alarm and panic, similar to that which has lately occurred, must subject the holders of such property to extreme and peculiar difficulties. That, to this effect must powerfully contribute the measure announced of offering, as an adequate compensation in cases of compulsory emancipation, the estimated value of the liberated slave or slaves—a proceeding pregnant with alarm to the mortgagees and others of your petitioners holding various securities upon lands cultivated by slaves. And your petitioners humbly represent, that, until it shall be proved by experience that free negroes will work for hire, and carry on the ordinary cultivation of estates in a regular and effectual manner, the slaves must be considered as forming the essential part of the securities held by your petitioners, since land in the colonies would cease to be of any worth when deprived of its labourers; and that, therefore, without the test just mentioned, or full and immediate indemnification, the process of compulsory emancipation cannot even be experimentally commenced upon a West-India estate with justice to the various parties holding legal claims upon the property.

"That it has been the wise and just practice of parliament, when authorizing in this country any infraction of private right or private property, to provide that the individuals so deprived shall receive from the public (for whose objects the sacrifice is demanded) a full and fair compensation for what is taken away, and even to admit that there be included in the price a consideration for the inconvenience and contingent loss which the individual may suffer from being compelled to part with his property. And your petitioners trust that the like measure of justice may be extended to their case; and that what would be considered to be injustice to a British subject holding property in Britain, will equally be considered to be injustice to a British subject holding property in the colonies.

"That your petitioners are persuaded that the reluctance and distrust with which the suggestions of the British government respecting an amelioration of the condition of the slaves have been received in various colonies, have been caused or aggravated in many instances by an indignant sense of those offensive misrepresentations of the conduct and motives of the colonists, which, in speeches and writings by eminent persons, have been so profusely addressed to the British public; and more especially and universally by the apprehension of danger threatening their properties and political rights; and your petitioners are confident, that were those feelings removed, together with the delusion which has been excited in the minds of the slaves by the prolonged discussions on the subject, the colonial legislatures would, with sincerity, zeal, and discretion, apply themselves to the deliberate consideration of all the communications made to them, with a view to correct whatever may be amiss, and to supply what may be wanting towards improving the condition and promoting the civilization of the slave population.

"That those independent colonial legislatures upon which for a long period has practically rested (subject to the sanction of the king in council) the right of municipal and internal regulation, will, however, claim that themselves from their local experience and immediate knowledge of all that is passing around them, can best judge of the fittest time and manner of introducing any changes in their law and practice; and will plead, that while they feel the responsibility of their situation, they cannot consistently be required to do what they conscientiously consider as dangerous to the tranquillity and prosperity of the colonies over which they preside.

"That your petitioners have embarked their property in colonial securities, greatly induced thereto by their confidence in the experience and practical knowledge of the colonial legislatures, and in the advantage of having the laws and internal regulations of the colonies framed by those most competent to adapt them to the immediate character, habits, and intelligence of the various classes which compose their population; that if the slaves be taught to look for their protection and government to any other authority than that of the king and the legislative, or other local power which they have been long accustomed to respect and obey, the tranquillity of the colonies, and consequently the security of property therein, will be greatly endangered.

"That your petitioners would therefore regard an interference by the Imperial Parliament with the established jurisdiction of those legislatures, as a removal of one of the securities of property invested in the colonies; and they know that the bare suggestion of such interference has contributed to the discredit which already attaches to West-India securities.

"That the conduct of the colonial legislatures respecting the registry laws, together with the zealous reception and liberal support of the religious establishments with which they have been favoured, prove the good-will of the colonists, and their inclination to acquiesce in those views of the parent legislature which are directed to objects of unquestionable utility, provided they be secured against attacks upon their constitutional privileges, and those rights of property which have been established under titles and sanctions as valid as the law could give them.

"That your petitioners feel themselves authorized to declare, that the opinions which in 1823 were expressed to his majesty's ministers by several possessors of colonial property, resident in this country, and which have often, in discussion upon this subject, been referred to, were directed solely towards measures of amelioration, and did neither contemplate any compulsory emancipation of the slaves, nor any constraint upon the independence of the colonial legislatures.

"That Great Britain, if she have the will, may doubtless impose upon her colonies a constraint which they cannot resist; and it is equally true that precipitate acts of power might produce ruinous extremities which the mother country did not contemplate, and which she might in vain attempt to remedy; but the attribute of the British legislature is justice, and to that your petitioners will make their appeal. Confident in their undeviating attachment to his majesty's person and government, and conscious of no crime by which their title to protection is forfeited, they do respectfully, but firmly, prefer their claim to full indemnification for all injury which constraint and force may inflict upon that property which, whatever may have been the circumstances of its original acquisition, is held, as it now stands, under the solemn guarantee of British laws.

"That your petitioners cannot conclude without noticing, that in many of the petitions to your right honourable House, which ask its interference with the colonial legislatures, there is a prayer that, in respect to the West-India colonies, the mother country will depart from that established policy by which the produce of capital and industry, which is purely and intimately British, and situated in parts of the empire whose commerce the mother country strictly controls, has a protection afforded to it in the home consumption over that which is foreign, or brought from appendages of the empire not so controlled, and less identified with the resources and interests of the mother country.

"That this prayer, if traced to its source, would, as your petitioners believe, be found to originate in interests of commercial rivalry; since it is at variance with a spirit of humanity towards the slave, whose well-being cannot possibly be promoted by any proceeding which tends to impoverish his master.

"Upon the grounds which your petitioners have now stated, they humbly pray, That your right honourable House will, by a legislative declaration, or by such other means as to your wisdom shall appear most expedient, restore to the property of your petitioners, and of other British subjects connected with the West India colonies, that credit and confidence which is ever due to property protected by British laws, and also that your right honourable House will forbear to adopt towards the local legislatures in the West-India colonies any measures which may be at variance with the rights of internal legislation which they have so long exercised."

The Earl of *Liverpool* said, he was sure that the petition which had just been presented would be received by the House with that respect to which, from the subject and the manner in which it was drawn up, it was entitled; but he wished to take that opportunity of saying a few words, in consequence of some observations which had fallen from his noble and learned friend. He could assure his noble and learned friend, that if there existed an intention in any party in this country to precipitate the emancipation of the negroes, without due preparation, no man could be more opposed to such intention than himself. He had always felt, that that was a measure which ought to be approached with caution and deliberation. The great interests and property at stake demanded this caution, and it was also to be considered, that the government and parliament of this country had been parties to the evils of slavery, in consequence of the direct encouragement which had, for a hundred and fifty years, been given to the state of things existing in the West Indies. Having said thus much, he must express his deep regret that the colonial legislatures should have proceeded in the course which they had hitherto thought fit to pursue. That in some of the colonies, from special circumstances, the measures recommended by the government might appear inapplicable was possible; but that could not afford an excuse for the conduct of the assemblies in refusing to legislate. It had been thought proper to mark out the course which appeared proper to be followed to accomplish the object which government and parliament had in view, and to hold up an example to the colonial legislatures. For this purpose instructions were sent out to the colonies under the immediate control of government. The example had been set in Demerara and Berbice, and it was the desire of government and parliament that similar measures of amelioration should be adopted in the other colonies. If their lordships looked at what had thus been done, they would find nothing like precipitation. On the contrary, they would see a series of measures recommended to the adoption of the colonies, which had for their object the gradual improvement of the slaves, and which required a certain course of time to be carried into effect. If the colonial assemblies wished to be regarded as really disposed to acquiesce in the views of parliament, let them lend themselves to the counsels of those who recommended measures of amelioration. On the contrary, they had shown a disposition, not to amelioration, but to resistance. British protection would not be withheld from those to whom it ought to be given; but it was for the colonies to follow that course which would prove that they were entitled to it. He desired that their lordships would look at the nature of the measures directed in the instructions contained in the order in council which had been sent out to the West Indies, and to say whether any possible evil could result to the colonies from adopting those measures. It was possible that some irritation might, from misunderstanding, take place; but that could not excuse the course which had been pursued by the colonies. He agreed with his noble and learned friend, that the measures of amelioration which ought to be adopted with respect to the slave-population could be most advantageously carried into effect by the colonial legislatures themselves. But if they persisted in refusing to attend to the recommendation which had been given them, it would be the duty of parliament to interfere. The best way for the colonies would doubtless be, to render all interference on the part of the mother country unnecessary. With that view he would urge upon them, as the best thing which could be done for their own safety and prosperity, that they should set about the work of legislation with a real, anxious, and sincere desire to improve the condition of their slave-population. Let them adopt this course, and he was sure they would have nothing to fear from other countries, and would never have reason to complain of the mother country. He trusted, however, that whatever regulations the colonial assemblies might think fit to carry into effect would be adopted in the spirit of peace and conciliation, and that the government would not be placed in the unfortunate situation of being obliged to resort to measures to enforce the course which had been recommended.

Lord *Suffield* vindicated the abolitionists from the charges which had been thrown out against them. At none of the meetings which he had attended had any thing like precipitation in giving liberty to the slave been suggested. On the contrary, the greatest caution had been always recommended. As to the object of the petition, he must observe, that West-India property had always been distressed, and would continue so to be, until compulsory labour was done away with, and free labour introduced.

Lord *Redesdale* admitted the advantages of free labour, but the difficulty was how to introduce it.

The *Lord Chancellor* said, he regarded it as most fortunate for the country, that the language which had from first to last been held on this question in parliament, had always been recommendatory of a gradual abolition, to be brought about by precautionary and prudent measures. He must, however, beg leave to doubt, whether the same opinion pervaded the whole body of the abolitionists; for he believed, if the noble lord would examine the greater number of the petitions which had been presented to the House on this subject, he would find that they contained an express prayer for the immediate emancipation of the negroes.

The Marquis of *Lansdown* said, he could not agree with the noble and learned lord, that the greater part of the petitions relative to negro slavery prayed for immediate emancipation. Every petition which he had been called upon to present, was of a different description; for he had not failed to look at each, with reference to that particular point, before he presented it; and, if in any one petition he had found a prayer for an object so pregnant with mischief to the negro-population, as well as to the planters, he should certainly have expressed his dissent from it. He was now about to present a petition which, like others which he had before submitted to their lordships, contained a declaration, that the petitioners approved of the resolutions adopted by the House of Commons in 1823, and wished to see the principle of those resolutions carried into effect: and to that extent he fully concurred with the petitioners. In adverting to what had fallen from the learned lord opposite, he must observe, that the petition to which their lordships' attention had been called, as it prayed for the improvement of West-India property, was one which ought to have been addressed to the colonial legislatures. He knew of no other parties to whom the petitioners could with so much propriety address themselves; for those legislative bodies had it in their power to improve the property of the colonists, and prevented that improvement by their refusal to ameliorate the condition of the slaves. An opportunity had been afforded them of retracing their steps; which it was to be hoped they would seize. Their policy ought to be, to raise the negro to that state which was consistent with the progress of knowledge, and the general improvement of the world, and not to leave him in a condition which formed a state of society never before existing in any country, and which could not fail to be attended with the effect of depreciating the property of the colonists. What was most necessary to be done was, to call upon the colonists to consider well the perilous condition in which they were placed, and from which they could only be rescued by adopting the course which had been recommended to them, and following the example held up to their imitation. This consideration, he trusted, would induce the colonial assemblies to fulfil those expectations which their imprudent conduct had so often disappointed. With regard to the measures for emancipation, there could be but one sentiment, which was, that they ought to be gradual, and of a nature calculated to ensure that moral improvement, by which alone the negroes could be fitted for the enjoyment of freedom. He concluded by presenting a petition, praying for the abolition of slavery.

Ordered to lie on the table.

HOUSE OF COMMONS.

Thursday, April 20.

Mr. Jacob's Report on the Trade in Corn, and on the Agriculture of Northern Europe.] The following Report, ordered to be printed on the 14th of March, was this day delivered to the members:—

Instructions to Mr. Jacob, respecting the Prices of Foreign Corn.

Office of Committee of Privy Council of Trade,
25th June, 1825.

Sir; It being the desire of the lords of the committee of his majesty's privy council for trade, to obtain the most correct information on every subject connected with the supply of foreign corn, I have been directed by their lordships to acquaint you with their intention to avail themselves of your services for the examination of the state of those countries, the productions of which find an outlet by the river Vistula into the Baltic. You will, therefore, be pleased to proceed with as much expedition as you can make convenient, to commence the examination, beginning at the city of Dantzic where the Vistula enters the sea.

Though you will direct your chief attention to that division of ancient Poland now comprehended in the Austrian province of Gallicia, situated between the river Bugg towards Lemberg, and the river Wisla towards Cracow, yet, in your route towards that district, the province of West Prussia, belonging to Prussia, and of Masovia, which now, under the government of Russia, forms a part of the viceroyalty of Poland, will require your examination.

At Graudentz or Thorn, in the Prussian part, it is understood that a toll is collected on wares in their passage down the Vistula; and you may, therefore, probably ascertain the quantities of corn which, in a series of years, have been annually conveyed down that river to Dantzic.

In the Russian provinces you will endeavour to make yourself acquainted with the nature of the transit trade in corn, with the state of the magazines of this article at Warsaw, Praga, and other places, and the modes in which, and the description of persons by whom, it is collected, for the purpose of transmission to Dantzic.

It will indeed be desirable to learn, with as much accuracy as possible, the quantity in warehouse, not only at the places you visit but at other places, and especially at Hamburgh, Konigsberg, Memel, Elbing and Riga.

In the Austrian province of Gallicia, as well as in the territories of Prussia and Austria, which will precede it in your route, you will obtain all the information in your power, regarding the condition of the soil; the manner of its cultivation; the average increase of the several kinds of grain; the proportion of ploughed land to that in pasture, in woods, or in waste; the relative numbers which the other inhabitants bear to those employed in agriculture; the descriptions of grain or other food which supply the wants of the inhabitants; the rate of the wages of labourers in agriculture, in handicraft, and in manufacturing; the condition of the farmers and labourers, as regards their dwellings, their clothing, their utensils, their furniture and their food; the hours devoted to labour; the assiduity and skill with which labour is performed; the number of days abstracted from labour by the festivals of the Catholic church; the extent of the military service or conscriptions imposed on the rural inhabitants; the pecuniary and personal demands for the repairs of roads, bridges, the poor and other local purposes; the rate of rent, whether tolerably paid, and in what proportion (if any) it has been reduced since the peace; the average price at which the present extent of bread corn could continue to be grown; how far the price of corn has been reduced since the peace; what increase in price would stimulate to more extensive cultivation; and what proportion of bread corn or wheat is consumed in the country, and by what classes.

With respect to the higher classes, it will be desirable to obtain as much information as possible, how far they have advanced in that knowledge which is applicable to the improvement of their domains; what zeal is felt for such improvement, and what unemployed capital is to be found which, in case of an increased demand for corn, would be likely to be applied to the advancement of agriculture and the increase of its productions.

It will be important to ascertain the prices of the several descriptions of corn at the places of their growth, as well as the expenses of conveying it to Dantzic or to Elbing, when it is carried to that port. This should not only comprehend the past and present period, but should be viewed prospectively, so as to estimate what would be the effect, if a constant sale could be found for the surplus corn of the country in the English markets.

You will endeavour to learn what the actual surplus of grain has been in a series of years, by ascertaining, with all possible accuracy, what quantities of each kind of corn have been sent out of the country by land, and what quantities have been brought in from the neighbouring territories of Silesia, Bohemia and Moravia, on one side, and from the Russian dominions on the other.

Besides acquiring information on the present condition of Poland, including the dominions of the three great powers, their lordships would wish your attention to be turned towards all facts that bear on the subject of the changes that might be produced in that country, if such an alteration were made in our laws as would leave our markets at all times accessible to the corn grown in Poland.

You will consider, from the view you take of the country, what increase of cultivation would be likely to take place in consequence of such a stimulus being constantly in action; what effect the extension of cultivation to poorer lands would have on the general prices; endeavouring by every means in your power to arrive at some estimate of the additional quantities which, in years of medium productiveness, might be imported into this kingdom from Poland.

As it may be necessary to assume some given price in this country, in forming such an estimate as that to which I have now referred, it is thought desirable that you should proceed upon a supposition of an average price of wheat at home of from 60*s*. to 64*s*. a quarter.

Although I have not noticed the several kinds of animals in the country you are about to visit, their lordships would be pleased to know what proportion the food supplied by them bears to that supplied by corn, and other vegetable substances; and also if the quantity of live stock is such as, upon a more extended system of tillage, would be likely to afford the means of renovating the fertility of the soil, in a degree equal to the exhaustion which would be occasioned by a greater growth of corn.

There are other subjects which will present themselves to your observation, and engage your attention, which, in an immediate or indirect degree, may bear on the subject which has induced their lordships to employ you on this business; and these they trust you will report with all the exactness and accuracy in your power.

In every part of your journey you will bear in mind, and direct your inquiries towards the influence which the price of food in general, and of corn in particular, has had on the rates of labour in manufactures, and learn in what proportion the wages of that description of labour have been lowered, as compared with the decline in the price of corn.

In the report you may prepare for the notice of their lordships, when you have completed your examination, you will reduce all the monies, weights, and measures, of the different districts you examine, into those of this country; having reference, as far as regards the first, to the actual value of the paper currencies of Russia and Austria, circulating in the territories of those sovereigns; and to that of the metallic money circulated in the dominions of Prussia, as well as to the fluctuations in the rates of exchange. I am, &c. &c. (signed)

THOMAS LACK.

William Jacob, esq.

Mr. Jacob's Report on the Trade in Corn, and on the Agriculture of the North of Europe, 21st February, 1826.

To the right honourable the Lords of the Committee of his Majesty's Privy Council for Trade.

My lords; In pursuance of the instructions communicated by your lordships on the 25th June last, I proceeded to the continent, passing through the Netherlands, the Prussian provinces on the Rhine, and the dominions of Saxony, to Berlin, and from thence by Stettin to Dantzic.

From Dantzic I travelled through the kingdom of Poland, visiting Thorn, Warsaw and Cracow; deviating in several directions from the main road, returned through Gallicia, Moravia, Austria, Bavaria and Wirtemburg, to Strasburgh, where I entered France, and by way of Paris reached England.

I was induced by my instructions, to direct my principal attention to the supplies of grain, and the nature of the commerce in it, within the districts whose surplus finds a vent through the mouths of the Vistula; and also to collect information on the subject in the other parts of the continent through which I passed.

I heard every where among landowners, farmers and corn merchants, complaints of the distress in which they were involved; and their complaints were far too general to leave room for the suspicion, that they were not founded on the existing state of their respective circumstances. The prices of produce of all kinds within the last three or four years, when compared with the period which had preceded them, or indeed with any past period, in which prices are accurately recorded, confirmed the conviction, that their complaints were justified by the losses they had sustained.

It appeared of some importance to collect, where it could be done with any assurance of accuracy, the prices of corn for a series of years. The wars, of which these countries have been the theatre, gave a degree of uncertainty to some of the accounts before the year 1815, and that uncertainty was, in several places, increased by the variations in the value of the circulating medium, which had taken place during the continuance of hostilities. Except at Dantzic, where a register had been kept for near two centuries; at Berlin, where, from the minister of the interior I received the prices for fifty years; and at Warsaw, where I obtained them from the Stadthouse, for thirty years; I confined my inquiries to the last ten years. The several accounts which were collected, form a part of the Appendix to this report.

As the facts collected, and the remarks made during my journey, are of very various kinds, and were committed to writing as they occurred, it may be more satisfactory to your lordships, if, after shortly describing the nature of the corn trade as carried on by the Vistula, which, as far as concerns wheat, is the most important; and, after recounting, according to my instructions, the quantity of wheat accumulated in the several exporting places, I state, whatever relates to the raising of corn, to the cost of its production, and the supplies yielded, in the different divisions of Europe, which have hitherto conveyed their grain to our markets, in the order in which I viewed the several countries.

The commerce of corn generally, in the countries whose connection with the sea is maintained by the river Vistula, has been extensive during a long series of years. The shipment to foreign countries was, during a long period, almost exclusively confined to the city of Dantzic.

The government of Prussia viewed with some jealousy the trade of that city, which was then one of the independent Hanse Towns, and having the land on both sides the river, from the boundaries of Poland to those of Dantzic, endeavoured, by forming the city of Elbing into a free mart, to draw the trade through that place and its port of Pillau.

Some success attended this plan, and the trade was carried on through the two rival channels, with a competition which has been continued to the present time; for though Dantzic has been since added to the Prussian territories, and the preference given to Elbing consequently withdrawn, the latter city seems to have retained its proportionate share of the export of corn.

Attempts are at this time making by Russia, to divert the corn trade of Poland, but especially of the provinces of that country which have been separated from it and are now comprehended in Russia, to the port of Riga, as the place of shipment. For this purpose, canals are now constructing, which are intended to facilitate the conveyance of goods to the river Duna. It is not however probable, that a very great proportion of the trade will be drawn into that channel. The port of Riga is closed by frost a much longer time than that of Dantzic; the passage from it to the countries where corn is wanted is longer; the climate is less favourable for drying the grain after removing it from the barges, preparatory to shipment; and it, at present, has not those spacious, and well-adapted warehouses, for the secure deposit of corn, by which Dantzic is eminently distinguished.

Some portion of the corn is at present brought down to the sea shore, by the river Neimen; and, after paying a transit duty to Prussia, at the town of Schmaleningken, is conveyed to Memel. This branch of the trade is, however, but small, as it appears that, in the three years 1816, 1817 and 1818, a period when the general trade was the greatest, the whole quantity that paid the transit duty was only 49,596 quarters of wheat, 21,830 quarters of barley, 185,292 quarters of rye, and 108,482 quarters of oats.

From the southern provinces of Poland, viz. Sandomir and Cracow, in which the greatest quantity of the best wheat is produced, a portion is annually sent into the neighbouring Prussian province of Silesia, by land, where a part of it is consumed by the few inhabitants of Breslaw, and the other cities, who eat wheaten bread. The greater part is, however, conveyed by the river Oder, and then by the canal which unites that river with the Havel, to the city of Berlin. It forms an article in the weekly returns of the corn market of that capital; and, by the whiteness of its flour, is preferred for pastry and confectionary. In those years, when the prices of grain have been the most raised in England, some of it has been sent here from Stettin, whilst those of the inhabitants of that neighbourhood who used wheat were supplied with an inferior kind of their own growth.

Those other channels, by which the surplus corn of Poland is distributed, bear, however, but a small proportion to that which passes by the mouths of the Vistula, at Dantzic and Elbing; and the manner in which the trade by these places is carried on may deserve detailed notices.

The cultivators of that corn which is supplied to trade, are almost universally both owners and occupiers of the soil on which it grows. They cultivate it by the labour of their tenants or subjects, who raise sufficient for their own support, but have scarcely any surplus. It does not, as in most other countries, come to the several markets in small parcels. As wheat, particularly, can scarcely be there considered an article of food, it would scarcely ever find purchasers among the inhabitants of the countries in which it is grown, if it were brought to the weekly or other markets in their own towns. It is almost exclusively an article for foreign consumption.

The whole of the internal commerce of Poland is in the hands of the Jews, who are very numerous, comprehending nearly one-seventh of the whole population, and not being engaged in cultivation, nor inhabiting villages, forming the majority in most of the market towns. They are acute, temperate, economical, rather active than industrious, and are said to be possessors of the far larger proportion of the floating capital of the country. Almost every transaction passes through their hands, and few persons can either buy or sell, borrow or lend, without the aid of some individuals of that race. Though not allowed by the law to call themselves brokers, or factors, they are effectually such to the whole of the nation.

They are accused of nourishing a most implacable hatred towards all other people, and of deeming it no moral crime to deceive and cheat christians. Whatever of truth there may be in these charges, these supposed feelings of the Jews are met on the part of the majority of the other inhabitants, by a degree of contempt and degrading treatment, of the most aggravating nature; a treatment so remote from what is exercised towards that people in England, Germany, France, and Holland, that it may have perhaps mainly contributed to form the character which they are accused of bearing.

It will not appear surprising, on referring to the changes that Poland has undergone, the ravages she has suffered from wars, the demands for the personal services of her proprietors in the armies, of the successive masters that have ruled the country, the exclusion from all foreign trade, and, till of late, the total absence of all manufactories, that there should be now great individual distress, even whilst the country, as a whole, may be advancing in prosperity.

The individuals who most suffer are the landed proprietors, and they have, with a few exceptions, become dependent, in a greater or less degree, on the more monied Jews.

There is every reason to believe, that few landed proprietors are wholly free from incumbrances, and that many of them are involved to such an extent, that they are compelled to deliver to their creditors the whole surplus produce of their estates, as soon as it can be prepared for removal. The Jews, by their universal connection with others of their nation in distant places, have far better opportunities of knowing what prices they are likely to obtain for corn, than the gentlemen who raise it; and the latter, from their situation, must take that as the price which their creditors may determine.

On the banks of the Vistula there are many warehouses well adapted for preserving corn, at the places whence it is most convenient to embark it. The crops are generally removed from the farms of the proprietors as speedily as possible, and remain there in the power of the creditor, who either allows for it a stipulated price, or undertakes to convey it to Dantzic, to be sold at the risk of the debtor; but with the proceeds to be received by the creditor.

The charges for warehousing, shipping, freight, tolls, commission, and other demands, have been lately so high, in proportion to the prices, that very small sums have been carried to the credit of the landholder; and where estates are mortgaged, they have been generally insufficient in amount to keep under the growing interest.

There are two modes of conveying wheat to Dantzic by the Vistula. That which grows near the lower parts of the river, comprehending Polish Prussia, and part of the province of Plock, and of Masovia, in the kingdom of Poland, which is generally of an inferior quality, is conveyed in covered boats, with shifting boards that protect the cargo from the rain, but not from pilfering. These vessels are long, and draw about fifteen inches of water, and bring about 150 quarters of wheat. They are not, however, so well calculated for the upper parts of the river. From Cracow, where the Vistula first becomes navigable, to below the junction of the Bug with that stream, the wheat is mostly conveyed to Dantzic in open flats. These are constructed on the banks, in seasons of leisure, on spots far from the ordinary reach of the water, but which, when the rains of autumn, or the melted snow of the Carpathian mountains, in the spring, fill and overflow the river, are easily floated.

Barges of this description are about seventy-five feet long, and twenty broad, with a depth of two feet and a half. They are made of fir, rudely put together, fastened with wooden trenails, the corners dovetailed and secured with slight iron clamps, the only iron employed in the construction.

A large tree, the length of the vessel, runs along the bottom, to which the timbers are secured. This roughly-cut keelson rises nine or ten inches from the floor, and hurdles are laid on it, which extend to the sides. They are covered with mats made of rye straw, and serve the purpose of dunnage; leaving below a space in which the water that leaks through the sides and bottom is received. The bulk is kept from the sides and ends of the barge by a similar plan. The water, which these ill-constructed and imperfectly caulked vessels receive, is dipped out at the end and sides of the bulk of wheat.

Vessels of this description draw from ten to twelve inches of water, and yet they frequently get aground, in descending the river. The cargoes usually consist of from 180 to 200 quarters of wheat.

The wheat is thrown on the mats, piled as high as the gunwale, and left uncovered, exposed to all the inclemencies of the weather, and to the pilfering of the crew. During the passage, the barge is carried along by the force of the stream, oars being merely used at the head and stern, to steer clear of the sand-banks, which are numerous and shifting; and to direct the vessel in passing under the several bridges. These vessels are conducted by six or seven men. A small boat precedes with a man in it, who is employed in sounding, in order to avoid the shifting shoals. This mode of navigating is necessarily very slow; and, during the progress of it, which lasts several weeks, and even months, the rain, if any falls, soon causes the wheat to grow, and the vessels assume the appearance of a floating meadow. The shooting of the fibres soon forms a thick mat, and prevents the rain from penetrating more than an inch or two. The main bulk is protected by this kind of covering, and when that is thrown aside, is found in tolerable condition.

The vessels are broken up at Dantzic, and usually sell for about two-thirds of their original cost. The men who conduct them return on foot.

When the cargo arrives at Dantzic or Elbing, all but the grown surface is thrown on the land, spread abroad, exposed to the sun and air, and frequently turned over till any slight moisture that it may have imbibed, is dried. If a shower of rain falls, as well as during the night, the heaps of wheat on the shore are thrown together, in the form of the steep roof of a house, that the rain may run off, and are covered with a linen cloth. It is thus frequently a long time after the wheat has reached Dantzic, before it is fit to be placed in the warehouses.

The warehouses are very well adapted for storing corn. They consist, generally, of seven stories, three of which are in the roof. The floors are about nine feet asunder. Each of them are divided by perpendicular partitions, the whole length, about four feet high, by which different parcels are kept distinct from each other. Thus the floors have two divisions, each of them capable of storing from 150 to 200 quarters of wheat, and leaving sufficient space for turning or screening it. There are abundance of windows in each floor, which are always thrown open, in dry weather, to ventilate the corn. It is usually turned over three times a week. The men who perform the operation, throw it with their shovels as high as they can, and thus the grains are separated from each other, and exposed to the drying influence of the air.

The whole of the corn warehouses now left (for many were burnt during the siege of 1814) are capable of storing 500,000 quarters of wheat, supposing the parcels to be large enough to fill each of the two divisions of the floors, with a separate heap; but as, of late years, it has come down from Poland in smaller parcels than formerly, and of more various qualities, which must of necessity be kept distinct, the present stock of about 280,000 quarters is found to occupy nearly the whole of those warehouses which are in repair, or are advantageously situated for loading the ships. Ships are loaded by gangs of porters with great despatch, who will complete a cargo of 500 quarters in about three or four hours. It is seen by table, No. 19, in the Appendix, that, within the last five or six years, the whole quantity that has been brought down has been diminishing; but I was told that no sensible decrease had been observed in the number of the separate bulks, only that each bulk, or the growth of each estate, or of each consignor, was smaller.

The trade in wheat from Poland and Prussia, through Dantzic, is said to have been attended with most ruinous losses to all the persons who have been engaged in it. The growers asserted that none for the last eight or nine years had yielded sufficient to cover the expenses of cultivation, and that it has been regularly getting worse and worse ever since the year 1818

The Jews, who have taken the crops from the growers, have found the decline of the prices such, that, if they sold on their arrival at Dantzic, it was attended with loss; and if they were in a condition to withhold from selling, and placed in warehouses, the loss was eventually much greater. The trade of Dantzic, which is chiefly confined to corn, has been for several years in a very distressed state. The commodity in which the traders have dealt, has of late so vastly declined in value, that what was purchased cheap at one period, became in a short time dear; the advances they made on what was consigned to them for sale, with the expense of conveyance, and of storing and preserving, soon amounted to more than the value of the wheat; and the consignors, in Poland, seldom united the ability and the disposition to make payments to indemnify them.

The corn now in the warehouses has cost the merchants much more than the present value. The royal bank of Prussia, which has branches in the different cities of the kingdom, has advanced, on the security of the wheat now in store, half of what was the value at the time the several advances were made, and, as the price has declined, has required additional security.

In calculating the stocks of wheat in the several ports of the Baltic, as I did not visit the whole of them, I was under the necessity of relying on the accounts that I could procure. His majesty's consuls offered their assistance, and furnished me with the following list, vouching for their accuracy to the best of their judgment.

Mr. Leutze, the consul at Stettin, gives the following as the stocks in Pomerania.

	Quarters.
Stettin	24,265
Anclam	10,586
Demmin	4,799
Stralsund	15,495
Griefswald	6,691
Wolgast	5,289
	67,103

Mr. Gibson consul at Dantzic, to whom I am obliged for much other useful information, gave me the exact quantity at Dantzic and Elbing; viz.

Dantzic *	288,000
Elbing	73,500
	361,500

Accounts of the quantities of corn in store at Memel could not be procured; and, in the absence of better means of forming an opinion, I have compared the trade of exporting corn at Memel, with that at Elbing, and find that, in a series of years, the exports of wheat and rye together from the latter port, have been about double that at the former. I scarcely know if it be fair to infer, that the accumulated stock bears the same proportion to the annual returns. If so the stock on hand must be but small.

I can only judge of the stocks accumulated in Riga and Petersburgh, by

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* By an account taken the 31st December 1825, since received, the stock appeared to be about 20,000 quarters less than when I was there.

comparing their trade in wheat, for a series of years, with that of Dantzic and Elbing. The exports have not been larger than those of Elbing, and it is probable their stocks together, do not exceed those of that port. In the absence of all definite information, and trusting to the reports I received, I should be disposed to think, that, in the three ports of Memel, Riga, and Petersburgh, there were not 100,000 quarters of wheat, in August, when I was at Dantzic.

The state of the stock of corn at Lubeck, with the prices for the last eleven years, are shown in the Appendix, No. 33. It appears that the wheat in store there was 29,900 quarters.

Some small stocks may have been collected from the territories of the duke of Mecklenburg Schwerin, and accumulated in the ports of Rostock and Wismar. I have no information of the quantity, but should not be disposed to judge, from the general trade of those places, that more than a few thousand quarters were to be found in them. The greater part of the surplus corn of Mecklenburg finds a vent by Hamburgh, and is included in the imports, from the interior of that city. The access to the Elbe from all the southern ports of the Duchy, is easier than to the Baltic; the freights from thence to foreign markets is lower, and the passage shorter. It is in fact, only from the northern division of the Duchy, that the wheat finds a vent through its own ports.

Although not within the Baltic, nor within the limits of my late journey, yet the wheat, which descends by the rivers Weser and Elbe, have too much influence on the general corn trade, to be overlooked in this estimate of the stocks on hand.

The wheat stored at Bremen, comes by the Weser, chiefly out of the Duchy of Brunswick, though some of it is grown in Hanover; and, when the prices are very high, supplies are conveyed from Hesse Cassel, and even from some of the western districts of the Saxon duchies through Münden. That from Brunswick is of a moderate quality, but much of the other is very bad, and only fit for the English market in times of very great scarcity.

The stock in the granaries at Bremen, in the latter end of December last, consisted of 27,972 quarters of wheat and other corn, as is shown in Appendix, No. 34.

Hamburgh is an important dépôt for corn, of some that is brought from Russian and other ports in the Baltic, as well as for the surplus of the several countries through which the Elbe in its long course is directed. Prussia, especially near Magdeburg, is a great corn country; but the chief grain cultivated in that division is rye. In the kingdom of Saxony, as well as in the Prussian province of that name, the quantity of rye very far exceeds the wheat, both in quality and quantity. In the years when prices are very high, the wheat of Bohemia comes down the river to Hamburgh; but the expense of conveyance, the length of the navigation, and the loss to which it is subject, act as a prohibition, except in seasons of great scarcity. The freight from Prague to Hamburgh is 12*s.* per quarter, and the tolls to the several sovereigns, through whose dominions the river runs, is 3*s.* 6*d.* The commissions and other charges, amount to near 1*s.* 6*d.* more.

From the shipping places below Prague the freight is lower; but the wheat grown near them is said not to be of so good a quality as that from the vicinity of that city, and the districts to the south of it.

The export trade in wheat of Hamburgh by sea, appears during the last ten years to have reached an annual average of 48,263 quarters; the greater part of the corn imported there being for the consumption of the city, and the surrounding territory belonging to it. In the Appendix, No. 32, is seen the course of the trade; the prices of all corn for the last ten years, the prices of wheat from 1791 to 1822, and the stock about 100,000 quarters, as taken at two periods in the last year.

Although the price of wheat as well as of other grain is very low in Denmark, yet the surplus quantity is very small; and the depressed prices may be in a great measure attributed to the restrictions upon Danish corn in the dominions of Prussia, its nearest and most populous neighbour. The wheat exported from the whole kingdom, in the six months which followed the abundant harvest of 1824, is seen in the Appendix, No. 35, to have been 57,561 quarters. By that account, it appears, that more than half the wheat was from the provinces of Holstein and Sleswick, which are in close contact with Hamburgh. In the market return of prices from that city, the wheat of Holstein forms one of the quotations; it is then fair to conclude, that a portion of the wheat exported from Holstein, if not from Sleswick, is that which subsequently becomes a part of what is included in the exports and stock of Hamburgh. I should much doubt if the whole quantity of wheat in store in October last, in the kingdom of Denmark, amounted to 20,000 quarters.

These are the returns of the several places mentioned in the months of August or September, before the corn of the last harvest had made its appearance in the markets. I had reason from all my inquiries, both among cultivators and merchants, to conclude that very little corn remained in the hands of the growers, except in the very rare cases, where in the same person was united a confident expectation of an advance in the prices with a sufficiency of capital, to enable him to withhold from making sales.

The circumstances of far the greater number of the occupiers of land were too much embarrassed to allow of their keeping corn, when the importunities of claimants upon them were urgent for the discharge of their demands. The general accounts were, that all which could be sold had, from necessity, been turned into money. In some of the small towns in Prussia, when movements of the troops were making, and a squadron of cavalry on a march was quartered on them for a day, so little horse corn was to be found in the granaries, that the standing oats were cut and given to the horses, as they were taken from the fields.

When in Berlin, I was told by baron Von Bulow, minister of the Interior, that the government had recently instituted inquiries into the stocks of corn in the country, and the result of those inquiries showed, that the quantity in the whole of Prussia was much smaller than usual.

A very intelligent writer, a part of whose memoir [see Appendix, No. 9] I have translated, states the whole quantity of corn in the different countries of Europe, at 3,680,000 quarters. He includes in his estimate, rye, oats, and barley, as well as wheat, noticing the portions of each, which make up his total. Without attaching any great credit to the calculation, I allude to it because his views are those which I found commonly entertained among the more intelligent cultivators, of whom, though writing anonymously, he was said to be one.

I made it my particular business to inquire into the state of the stocks at the warehouses on the banks of the Vistula, where corn is collected until a sufficiency of one quality is accumulated to load a vessel. In former times, as I was informed, these stores used to have a large quantity placed in them when the water was low, to be ready to take advantage of the first autumnal rains.

The water was low when I was in Poland, from the long draught and great heat of the season; few or no vessels were navigating on the upper part of the river, and yet the storehouses on the banks were empty.

At Warsaw there are large warehouses, but in them there were not 200 quarters of wheat.

At Pulaway is a large magazine, capable of storing, and adapted for keeping in good order, 6,000 quarters of wheat; but it did not contain a single bushel.

At Cassimir there are several large warehouses, some of them from having had no business of any extent during the last four years, seemed to be in need of repairs. Others were, however, in good condition. The whole are capable of storing 80,000 quarters of corn.

In none of them was any wheat, though they contained some rye belonging to the government, which its agents had received for rent and taxes, from cultivators who could not pay money.

Rachow has warehouses for storing 14,000 quarters, but in them was neither wheat nor any other corn to be found. At Cracow the case was the same; the warehouses, which are extensive, were empty. The places I have noticed are the chief, where there are ferries over the river, and to which the roads from the surrounding districts lead. They are the most convenient for shipping goods, and most of the trade is despatched from them. There are a few others of smaller moment, which I did not visit, and only on hearsay know that they are alike without wheat.

From the view I have thus taken, I am led to the conviction, that neither in the sea ports, from which wheat is usually shipped, nor in the interior of the countries where it is grown, was there a stock which, if removed to the sea ports, would increase the amount of what is collected there to any sensible extent.

There is an accumulation in the Russian provinces of Podolia and Volhynia, which was reported to me to have been stored in caves under ground, containing four or five years growth.

Owing to the situation of those provinces, and the difficulties and expenses of conveyance, it is more likely to perish in the dépôts than to be conveyed to any places from which it can interfere with the trade of this country. The cost of conveying it to Dantzic would be equal to the price for which it would sell, and the shorter but more hazardous distance to Odessa would lead to a market there, lower than even that of Dantzic.

The produce of these two provinces was never large, and has only found its way to the sea shore, when very high prices have enabled it to bear the expense and risk of conveying it thither.

The whole stock of wheat may be now brought into one point; and appear as follows:

	Quarters.
Pomerania	67,103
Dantzic and Elbing	361,500
Lubeck	29,900
	458,503
Conjectural:	
Denmark	25,000
Rostock and Wismar	25,000
Petersburgh, Riga and Memel	100,000
	608,503
In ports of the North Sea as ascertained:	
Hamburgh	105,000
Bremen	27,970
Total	741,473

Of the wheat to which we have referred, as accumulated in the several ports, I was assured nearly one-fourth part is of so bad a quality, as to find no market in this country, except in seasons of uncommon dearth. If, then, out of the whole 741,473 quarters, 556,330 quarters were to be sent to England, it would not be more than the consumption of ten days.

The provinces, forming since the adjustment of territory, at the termination of the late war, a part of the Prussian monarchy, which have access to the Baltic sea, comprehend East Prussia, West Prussia, and Pomerania. They appear by the official accounts [see Appendix, No. 10] to have exported 447,183 quarters of wheat, and 1,218,916 quarters of rye, barley and oats, beyond their own growth, in the last nine years, up to the end of 1824; exclusive of the year 1818, the returns of which, for East Prussia, are wanting, but which probably were 350,000 quarters of wheat, and 340,000 quarters of the other grains.

It is possible that some portion of this quantity may have been produced in the internal contiguous provinces of Posen, Silesia, and Brandenburgh. As the trade in corn, between one province and another, is free in Prussia, there are no official accounts by which we can ascertain whether what is exported by sea, is the produce of the province from which it is shipped, or of some inland district.

As the special object of attention pointed out by my instructions, was the state of the countries, from which corn had been exported to England, I shall, therefore, in representing the state of the agriculture, confine my observations chiefly to the three maritime provinces before mentioned, but including in some degree the province of Brandenburgh.

Before the year 1807, the landed estates in Prussia, as in most other parts of Europe, were in the possession of large proprietors. Many of them could only be held by such as were of noble birth; and the merchant, the manufacturer, or the artisan, however much money he might have accumulated, could not invest it in such land until he had obtained a patent of nobility. These restrictions were removed by the king, about the year 1807, when the French had over-run the country.

A tenantry, in our sense of the term, was then, as it still is, almost unknown. The land was worked by a class of persons, in some respect slaves; and in most respects but little removed from that condition. In many cases they had an hereditary kind of right to some use of the land, such as to grow one crop of corn according to a prescribed course, whilst the lord had the right of pasture between the crops. These peasants were sold with the land, or descended to the heir, and were bound to perform certain labour or services for the lord. They could not, on the other hand, be dismissed from their holdings, nor had their superior any power over the property they might happen to be able to accumulate.

The conditions upon which the peasants held their portions of land, were very various, some having a greater, and others a less share of the use of them; some doing greater and others less service for them.

By a series of legislative measures, marked by a character of peculiar boldness, which were enacted from 1807 to 1811, the whole of the enslaved peasants have become converted into freemen and freeholders. In some cases the holdings have been equally divided, and the peasant has his moiety in perpetuity. In cases where the lords claims for personal services were more extensive, the peasant had a smaller share in the land. In some instances, compensations in money were settled by compact between the lords and the peasants, sometimes by the payment of a fixed sum, or by a security on the land allotted in perpetuity to the peasant, for the payment of such sum. Sometimes the peasant retained the whole of the land he had before used, paying to the lord the value of that portion which might otherwise have been given up to him.

The successive measures by which the peasants were raised to the rank of freemen, were not received by all, with equal readiness. The lords were compelled, but the peasants were allowed to decline compliance; and, even to the present day, some few prefer the ancient mode of their holdings, to that which the laws have allowed.

Although the foundation is laid for a new and better order of things, yet its effects on the agriculture of the country have not hitherto been fully realised. The abolition of personal services, and of hereditary ownership of such services, has been too recent for the full operation of the change of the parties, from the relation of master and slave, to that of employer and employed, to produce the effect which is its natural tendency. It is obvious, that all the operations of agriculture are still performed by the labourers, with a listlessness and slovenly indolence which was natural to their former character, and which their new condition has not yet had time to remove.

The land in the three maritime provinces, as indeed in almost the whole of Prussia, may be considered as either in very large portions belonging to the nobility, or to the new class of proprietors; or as very small portions, such as under the ancient system were deemed sufficient for half the maintenance of the family of a peasant. There are but very few of that middle class of capitalists, resembling our farmers, who can hire land to that extent, which one able man can most advantageously manage, and after stocking and working it, pay for the hire to the proprietor.

With some few exceptions, and those very few, no rent is paid, but each occupier, whether a large or a small one, is his own landlord.

The deviations from this general view are to be found, for the most part, on the banks of the great rivers, where meadows, either for the purpose of fattening cattle, or of saving hay, for the supply of large towns near the mouths of these rivers, are let to tenants for money rents. On the banks of the Oder, near Stettin, I saw some meadows let from 10*s.* to 12*s.* per acre, the landlords paying land-tax. They are said to yield about one ton and a half annually, of hay, when mowed. The after-feed is worth little, from the early floods in autumn, and the deep snows and severe frosts in winter. The hay is not very good, which is attributed to the great quickness of the growth, after the frosts disappear. Land of this description is of less relative value than with us, from the severe cold, and its long duration; from there being scarcely any of the interval of spring, and from the great drought and excessive heat of the short summer. I was informed, that similar land, higher on the Oder, near the cities of Schwet, Custrin and Frankfort, was let at nearly the same rate. Lands in the vicinity of the large towns, and in other situations, from local convenience may be sometimes let for money rent, but these are exceptions to the general plan, and the whole of such land bears but a very small proportion to that which is cultivated by its owners.

The domains of the Crown are differently circumstanced from other land, and are let to farmers. The greatest part is in the occupation of persons, whose ancestors had long held them at low rents, without their being charged to the land-tax or Grund Steuer. When by new laws the taxation on land was extended to the estates of nobles, those of the Crown were included, and charged with the tax. At first the high prices which corn bore, enabled the occupiers to pay the trifling rent, as well as the tax; but as corn declined in price, they became unable to pay both. The taxes were in most instances paid, but the rent was suffered to run in arrear, from the impossibility of extracting it from the tenants. I was informed by a very intelligent gentleman, who had sufficient means of information, that most of the occupiers of the royal domains, whose rent was ten years in arrears, had been forgiven the whole, on promising to make the payments regularly in future; a promise they are in general unable to fulfil, from the great additional fall in the price of corn which has since taken place.

These national domains are of such various qualities, and in such different localities, that it is difficult to find what is the average rent of them per acre. Some of them are let as high as 3*s.* 8*d.* per acre, a much larger proportion at 1*s.* 2*d.* and a larger still from 6*d.* to 9*d.* As far as my means of information can enable me to form a judgment, I should not estimate the average rent to exceed, if it reaches, 1*s.* 3*d.* per acre. The farm of Subbowitz, whose produce is noticed in the Appendix, No. 11, which is considered fair average land, consists of about 1,720 acres, and is let for 158*l.* 12*s.* 7*d.* sterling per year. That of Subkau, also noticed in the same statement, consisting of 3,054 acres, is some of the best land, the rent of which is about 552*l.* 11*s.* 8*d.* sterling per annum.

These two farms, with the others noticed in the same paper, are occupied by some of the most skilful cultivators of the district; and yet the accounts show, that small as the rent is, and judicious as the management may be, the produce falls short of the cost of production even, though the rent should be given up.

Although the royal domains are here noticed, they bear a small proportion to the whole land, in the province of West Prussia, where they are situated, not exceeding one-sixtieth part of the whole.

The value of land generally is low, as may be inferred from the low price of produce, and of rents for what little is rented. An estate of medium soil was put up to auction, and not producing an offer equal to the sum for which it was mortgaged, was taken by the mortgagee. The extent is about 6,000 morgens, or about 4,200 acres. It is chiefly a thin sandy soil, in some few parts approaching to loam. The principal and interest due to the mortgagee was 3,000*l.* for which sum he took the estate. The barns, and other tenements, were in need of some repairs and the land; far from being in a clean state. On taking possession, as he could not let it, he had, and calculated to expend, as he told me, betwixt 2,200*l.* and 2,300*l.* to repair the tenements, and to stock it with 1,500 Merino sheep, 40 cows, and with bullocks, horses, and the requisite implements. This gentleman, who had acquired his money by trade, and knew how to calculate, hoped by the fleeces of his fine-wooled sheep, to draw some interest for the investment he had been compelled to make in land.

In the same part of Prussia, another estate, one of the best in the district, with a good house, with all the buildings in good repair, and the land in a high state of cultivation, was offered for sale, and though when I was there the sale was not completed, I had reason to believe an agreement for it would speedily be concluded.

The soil is good sandy loam, chiefly arable, with some pasture, the extent 2,800 acres. The price, at which I believe the contract to have been since made, was between 5,200*l* and 5,400*l.*

If these two instances may be taken, as nearly the highest and the lowest price of the average arable land of the maritime provinces of Prussia, the highest limit will be somewhat less than 40*s.* the acre, and the lowest not quite 15*s.* per acre. This estimation of the value of land, if correct, in the maritime provinces, cannot be extended to the other parts of the Prussian dominions, where both the soil and climate are far more favourable to production. It is well known in England, that, under a great depression in the price of corn, the poorer lands suffer a much greater proportionate depreciation, in their sale price, than the more fertile soils. It is not then extraordinary, that the landed property of these maritime provinces should be reduced to the low value which is here represented.

This tract of land forming the maritime provinces of Prussia, is a portion of that vast sandy plain which extends from the shores of Holland to the extremity of Asiatic Russia. It has scarcely any elevations that merit the title of hills, and, where not covered with woods, spreads out in open fields of great extent. The soil in some places is barren sand, occasionally with no appearance of vegetation; in many parts with no attempt at cultivation, and what is cultivated appearing to yield but scanty returns. The land is too poor to yield even middling crops, without manure, and the portion of cattle of all kinds is too small to create such a quantity of that necessary ingredient in husbandry, as to keep the land up to its present low standard of fertility.

According to the official documents which I collected, it appears that the three maritime provinces of East Prussia, West Prussia, and Pomerania, including in the latter the late Swedish territory, contain about 25,500,000 acres, or more than half the extent of England. By an official account, made up in 1821, the stock of cattle appeared to be as follows, at the latter end of the year 1819; viz., 556,839 horses and colts; 1,171,434 oxen, cows, and calves; 2,049,801 sheep and lambs; and, 617,310 swine.

The lowest estimate of the stock of cattle in England, which I have ever met with, gives three times this number of horses, and more than four times the number of cows and sheep, to the same extent of land; and most of those who have calculated on the subject, have carried the proportion of cattle to the surface in England, much higher. I had reason to believe, though not from official sources, that the number of sheep, between 1819 and 1824, had increased at the rate of from 20 to 25 per cent, and that the proportion of fine-wooled sheep, to those of coarse wool, had been augmented beyond that proportion.

From this deficient stock of the animals, from which manure is derived, it will naturally be inferred, that the increase of grain must be very small. I was satisfied, from my own observations, and it was confirmed by the opinion of intelligent natives, that much of the land in cultivation could not yield on the average more than three times as much corn as the seed that had been sown.

The calculations made by the most intelligent statistical inquirers, and the most observing cultivators, have not estimated the average increase of the four kinds of grain; viz., wheat, rye, barley, and oats, taken together, to be more than four times the seed.

The general course of cultivation is, to fallow every third year, by ploughing three times, when designed for rye, or five times if intended for wheat, and allowing the land to rest without any crop during the whole of the year, from one autumn to the next. Most of the land is deemed to be unfit for the growth of wheat, under any circumstances. Where it is deemed adapted to that grain, as much as can be manured, from their scanty supply of that article, is sown with wheat, and the remainder of the fallow ground with rye. The portion which is destined for wheat, even in the best farms, is thus very small; and, as on many none is sown, the whole of the land devoted to wheat does not amount to one-tenth of that on which rye is grown.

I have reason to believe, that, of late years, the proportion of rye to wheat has been increasing. The first is an article of domestic consumption and of universal demand; the far greater number of the inhabitants eat only bread made from it from necessity, and those who can afford wheaten bread, eat commonly that of rye from choice. At the tables of the first families, both in Germany and Poland, though wheaten bread was always to be seen, I remarked that the natives scarcely ever tasted it; and I have met many Englishmen, who, after a long residence in those countries, have given the preference to bread of rye.

From the time I left the Netherlands, through Saxony, Prussia, Poland, Austria, Bavaria and Wurtemberg, till I entered France, I never saw, either in the bakers' shops, in the hotels, or private houses, a loaf of wheaten bread. In every large town, small rolls made of wheaten flour could be purchased, and they were to be seen at the tables at which foreigners were seated. In the small towns and villages only rye bread can be obtained; and travellers commonly take in their carriages sufficient wheaten rolls to supply them from one large town to the next. Wheat is only used by the natives for making what our English bakers would call fancy bread, or in pastry and confectionery. If there be no foreign demand for wheat, the difficulty of selling it, at any price, is great; and that little, which the very limited demand of other countries has of late years required, has been confined to wheat of the best quality; for rye, on the other hand, sales may be always made at a market price; and the price of that grain has not been depressed in the same proportion as the price of wheat.

Although the increase of wheat is greater than that of rye, yet as it absorbs all the manure of the farm, and requires the land to be ploughed twice more, it is now deemed to be the least profitable of the two crops, by many of the farmers.

As the rye receives the full benefit of the fallow, its increase is greater than that of the spring crops which follow it.

Barley and oats are sown in the spring which follows the harvesting the wheat and rye, and these complete the course, which is again followed by a whole year's fallow. By this rotation of crops, the land bears corn only two years out of every three; and the crop of the last year scarcely produces three times the quantity of the seed that was sown.

This opinion, formed by my own observations, strengthened by the reports of the most intelligent persons with whom I conversed, who were connected with practical agriculture, receives some confirmation from a paper furnished to me by Mr. Leutze, his majesty's consul at Stettin; according to which, in 1805, the year previous to that in which the country was over-run by the French, the quantities of corn sowed and harvested in the province of Pomerania, when the Swedish part was not incorporated with it, are as follow:

		Bushels.			Bushels.
Wheat	sown ..	155,936 ..	produced ..		996,224
Rye -	do. ..	1,254,960 ..	do.	..	4,383,584
Barley	do. ..	619,992 ..	do.	..	2,757,688
Oats -	do. ..	1,245,704 ..	do.	..	2,975,880

This view of the low rate of increase is further confirmed by the official accounts of the produce of several farms in West Prussia [see Appendix, No. 11, B.], by which it appears, that on six farms, on which 4,864 acres are cultivated with corn, the produce was only taken at 10,000 quarters in 1824, which is represented to be a favourable year.

Though some few of the large proprietors may, by the increase of their flocks of sheep, and by the assiduous attention to every branch of cultivation, have improved their land and raised the increase of their seed, I see no reason to believe that to be the case to an extent, which can have a sensible influence on the average of the whole mass of production.

If we consider the calamities which Prussia endured, and the strenuous exertions she made to terminate them, we shall scarcely suppose that the interval from 1815 to 1825 has been sufficient to regain what she had lost; in the eight years which preceded that period, more especially as up to the present time, the market prices of her chief productions have been suffering a regular decline.

I should not deem the other maritime provinces of Prussia to be much more productive than Pomerania, as a whole, though in East and in West Prussia there is rather a larger proportion of the land that is capable of producing crops of wheat and oats. It will happen to a traveller, in pursuit of agricultural information, even in England, and much more in countries where the business of cultivation is conducted in a much lower manner, that his attention will be invited to those properties which are best managed, where the several processes of husbandry are most sedulously performed, and where the produce is the greatest. Hence almost every writer on agricultural subjects has been led to over-rate the actual average produce of land, in the several countries which he may have visited.

Like others, I was prevailed upon to pay the closest attention to the details and face of the land of the most skilful, the most affluent, and most productive proprietors. I visited several noblemen, whose knowledge of and attention to agriculture was fully equal to that of any men in this or any other country; and, if the produce of the land was not equal to that raised by our best farmers, the difference must be attributed rather to the soil and climate, than to any deficiency either of capital, of skill, or of assiduity.

On such property the wheat sown was very insignificant, and the proportion of that grain to rye, had gradually declined of late years. One nobleman, who farmed his estate of 26,000 acres, of which two-thirds was tillage, and one-third woodland, grew but a few acres of wheat, and of late had sold no corn of any kind. From the ports of England being shut against corn, he had turned his attention to the production of fine wool. On this estate there is a flock of 15,000 Merino sheep, yielding on an average two and a half pounds of fine wool, the annual sales of which amount to one half more than the value of the sheep. Through the five winter months, the sheep are fed with corn, chiefly rye, at the rate of one pound per day, which is estimated to be equal to three pounds of hay. The proprietor calculated, that sheep thus kept, yielded nearly as much more wool as, added to the benefit which the manure of the animals received from that kind of food, was equal to the price he should have received for the corn, if he had sold it; and that the profit, on this system, was the value of the whole of the hay, which would have been otherwise consumed. Instead of selling he finds it more profitable to buy corn.

On the same property, the extent of land planted with potatoes, was upwards of 1,500 morgens, or about 1,000 acres, the chief part of which were used in the distillery, which seems an indispensable adjunct to every well-managed farm. The calculation made there was, that two bushels of potatoes yielded as much ardent spirit, as one of barley; and that the residuum, after extracting the spirit, was equal in alimentary power, for the draft bullocks, which are fed with it, to two-thirds of its value, before the wort was extracted from it. By the process on this estate, nine bushels of potatoes are mixed with one of malt, to draw the wort, which is afterwards distilled, so as to produce a spirit containing 80 per cent of alcohol, in which state it pays a duty (much complained of) of sixpence per gallon. It is reduced, before it is sold, till it retains 50 percent of alcohol; and the price charged to the retailers is about fourteen-pence per gallon.

Another person of the same rank, who had turned his attention to the improvement of his property, boasted that his corn land already yielded near six-fold for the seed that was sown, and could be further increased. He, too, cultivated potatoes very extensively; and, by converting them into starch and treacle, made that land yield a profit which had it been devoted to corn would have produced a loss. He had tried to make sugar from potatoes, and found it not advantageous; but he assured me that treacle paid him well, and he could afford to sell it at 18*s.* per cwt. whilst that from the West Indies cost 24*s.* I could perceive no difference between the sweetness of this treacle and that from the tropics, but it has less consistency.

A nobleman whom I had before known, to whose hospitality I am much indebted, and whose estate I viewed in detail, took the trouble to furnish me with the course of cultivation he pursued on the property on which he resides [see Appendix, No. 12.] Though cultivated with care, and though fairly productive, I readily give credit to what he assured me, that the whole benefit which he derived from the estate of 6,300 acres, in his joint capacity of landlord and cultivator, had not exceeded the amount for which he had sold his annual clip of the wool of his flock of 4,000 sheep.

On the several other estates that I viewed, the recurrence of corn crops was equally distant; the superior portion of land devoted to green crops and pasture, the same; and the stock of cattle bore nearly a like proportion. These, however, were exceptions, few in number and confined in extent, when compared with the general condition of the estates of the three provinces.

A number of proprietors, residing on their lands, devoting their time and attention to its improvement, and acquiring the practical and economical habits which their affairs render necessary, must have a beneficial influence on the cultivators around them. In this view, perhaps, the distress which has been occasioned by the depressed prices of agricultural produce, may, at some future time, under happier auspices, be highly advantageous to the community. But, in the mean time, the influence of the best specimens of cultivation have been very limited. Few of the proprietors have any capital to buy sheep or other stock, or to enable them to wait for those returns of their outlays, which come in with the most dilatory pace where the management of land is the best. He who has to answer the demands of the labourers, the tax collectors, and, where it occurs, of the gatherer of rent, or of interest on mortgages, must sell his corn at any price that is offered for it, without waiting to convert it into wool, as the nobleman to whom I have alluded is enabled to do. It is more the state of embarrassment, in which almost all the proprietors are placed, than the want of knowledge or assiduity, that prevents the Agriculture of the Prussian dominions from making more considerable advances.

Formerly, the majority of the estates, as belonging to nobles, and only capable of being held by that class, were nearly inalienable; but the necessity of relieving the most harassed of that body, induced the government to form a plan by which money might be borrowed on the security of land. At first this power was confined to the lands of the nobles, but was afterwards extended to all others.

The Landschaft, or States, a local assembly of the principal proprietors, were authorized to make a valuation of such estates as were to be mortgaged, and to issue writings denominated pfandbriefe, or mortgage debentures, which bore interest, and were transferrable with little trouble and expense, on which one-half, and in some instances, six-tenths of the Landschaft's valuation was easily borrowed. As the valuations of the estates were made upon a low scale of the prices of produce, and on a low estimate of the annual quantum of such produce, they were deemed the best security that could be offered. In a country where no government funds were in existence, or none in which the public had much confidence, these kind of securities became the natural deposits of such accumulations of money as were not intended to be exposed to any risks. Hence the fortunes of widows and orphans, the capital of churches, schools, hospitals, and charitable institutions of various descriptions, were invested in such securities. From 1794, when the valuations were made, the gradual rise of the prices of the produce made the payment of the interest on the debts very slightly burthensome, and such was the regularity with which the interest was paid, and such the confidence in the security, that those pfandbriefe became worth a premium of ten per cent, and sometimes even of more.

At the time of the valuation, the system of duty work, as known in France by the name of corves, was general. The taxes on the land, for the families who fell in defence of their country in the late war, and for such as were disabled, were not imposed, and those for the local purposes of roads, bridges, the poor, and other objects, were much lower than they are at present. Whilst, by gradual steps, for the last ten years, the price of all kinds of corn, except of wheat, which is the smallest portion, has fallen below those at which the valuations were calculated in the year 1794, the increase of taxes and of the prices of labour have been advancing. Thus many of the estates, which, for the first twenty years, could easily discharge the demands upon them, are now become utterly unable to meet those demands. I had heard so many tales of the distress occasioned by this course of events, that I wished to ascertain the extent of it as accurately as possible. Having found in Mr. Rothe, the president of West Prussia, as well a disposition to communicate information of every kind, as the qualities of accuracy and discrimination, I was induced to submit to him, in writing, some queries on this, as well as on some other subjects, which he very politely and speedily answered.

The replies, in Appendix, No. 11. (A.) show, that of 262 estates, within the limits of the landschaft's authority, 195 are incumbered with mortgages, and only 67, about a quarter, are free from those incumbrances. Of the 195 estates so incumbered, 71 were already in a state of sequestration, a remedy to which none of the mortgages would have recourse but in cases of extremity. I was more than once told, with what truth I would hesitate to say, that most of the 67 large estates not appearing in the hypothecation books to be incumbered, had been prevented by testamentary, or other family settlements, from being brought within the circle of the landschaft's valuation. I was informed by an intelligent man, who is a member of the states, that many estates have been suffered to remain in the possession of the nominal proprietors, because the interest of the money lent on them ceases as soon as a process is commenced, and because they cannot be sold for so much as has been advanced on them; besides which, when in a state of sequestration, they are so carelessly managed by officers of the government, that they become from bad to worse.

The mortgagees are thus induced to leave them in the hands of the apparent owners in the hope of a change of times, and from the fear of diminishing still more, the value of their slight security. Besides these mortgages, which are registered in the hypothecation books of the landschaft, many of these large estates, when the value of the produce was very high, were enabled to borrow, on subsequent mortgages; which, as they are of no validity till those registered are liberated, have in many instances, been attended with a total loss to the lenders.

It is obvious that, when that which for a long period has been deemed the most secure, if not the only secure investment for money, becomes of no avail, the consequence must be highly distressing, and peculiarly so, because the principal suffering must, of necessity, fall on those least able to contend with the adverse circumstances in which they are placed.

The new proprietors, who have been raised to that condition by the abolition of the ancient feudal tenures, though they can scarcely ever want the bare necessaries of life, have very little beyond them. If they happen to be both industrious and economical, their own labour, on the small portion of land which they possess, will supply them with potatoes and some little bread corn, as well as provision for their two oxen. They all grow a small patch of flax, and some contrive to keep five or six sheep. If disposed to labour beyond the time required for their own land, there is a difficulty in obtaining employment; and in the winter months, which are long and severely cold, no agricultural work can be performed. The flax and the wool spun in their cottages must supply the cloathing of the family; and the fat of the animals they kill must be converted into soap and candles. Meat of any kind can be rarely afforded to be eaten by such families; and only the few who are more prosperous than their neighbours can keep a cow to supply them with milk. They consume nearly all they produce, and are considered happy if they have a sufficient surplus for sale to meet the demands of a few shillings annually for the payment of their trifling taxes and local assessments. It was the universal opinion of all with whom I had any conversation on the topic, that this description of peasants were hitherto in a worse condition than under the old tenures; and, as this was attributed to the depression of agriculture, and the want of capital, and of incitement to the large occupiers to employ their spare time, it was not considered to be an impeachment of the wisdom which had planned and executed their emancipation.

Though the rate of wages is very low [see Appendix, No. 11], not averaging more than five-pence per day, yet the day labourers who have constant employment, with a cottage, potatoe ground, and flax patch, are said to be somewhat better circumstanced than those persons who have been recently raised from the feudal ranks to that of freehold proprietors.

Those labourers who are boarded in the houses of their employers have a sufficiency of food, consisting of rye bread, potatoes, of buck-wheat made into soups of various kinds; and in many instances are provided with meat, commonly bacon, twice a week.

The aged and infirm poor have demanded consideration only since the abolition of the feudal tenure. Before that period, each lord considered himself bound to assist in their support, and generally attended to that duty, where the deficiency of means in the power of the relations of the aged and infirm made it requisite. A regular system of taxation for the poor has not yet been introduced, though the first steps towards it have been taken. The assessment for the widows and orphans of those who fell in the late conflicts, and for such as were disabled in the service, has been already noticed. It is kept distinct from all other levies, and is, of course, gradually diminishing in amount, as the persons entitled to receive it are removed by death. The money requisite for the other poor, is supplied from local funds, arising from general assessments, made for the maintenance of bridges, for repair of roads, drains, and embankments, for the support of schools, and for some other similar purposes. The practice of supporting the indigent is of very recent date, and has not hitherto produced the effect of lessening the sympathy which the needy feel for each other, or the charity which the more affluent exercise towards their distressed neighbours; and the sense of shame yet remains as a bar against application to the communal taxes, except in the greatest extremity.

A very intelligent and benevolent nobleman, at whose house I spent a few days, assured me, that in the extensive, but thinly-peopled district where he had a share in the directing the assessments and expenditure of the local taxes, there was but one family which subsisted wholly on those taxes; and that others depended on the kindness of relatives and friends, with some occasional assistance from the local fund.

In general the soil of the maritime provinces of Prussia is so light, that it may be easily ploughed with two oxen, and those of diminished size, and no great strength. I have not unfrequently seen, on the smaller portions of land, a single cow drawing the plough, and whilst the plough was guided by the owner, the cow was led by his wife. The more tenacious soils, on the banks of the streams, are commonly but of small extent. There is indeed a large portion of land in the Delta, formed by the separation of the Nogat from the Vistula, between Derschau and Marienburg, which, under a good system of management, would be highly productive, and which requires greater strength to plough. There are some others, especially near Tilsit, of less extent; but the whole of them, if compared with the great extent of the surface of the country, are merely sufficient to form exceptions to the general classification which may be made of the soil. The various implements of husbandry are quite of as low a description as the working cattle. The ploughs are ill-constructed with very little iron in them. The harrows are made of wood, without any iron, even for the tines or teeth. The waggons are mere planks, laid on the frame loose, and resting against upright stakes, fixed into its sides. The cattle are attached to these implements by ropes, without leather in any part of the harness. The use of the roller is scarcely known, and the clods, in preparing the fallow ground, are commonly broken to pieces by hand with wooden mallets. In sowing, the seed is carried in the apron, or the skirts of the frock of the man who scatters it on the ground.

The monied value of the live stock on the farms is low. The best flocks of Merino sheep, exclusive of the wool, is averaged to be worth about 6*s*. or 6*s*. 8*d*. per head. Cows are worth from 30*s*. to 65*s*. A dairy, which I saw, of the best description, was let to a dairyman at 36*s*. per year. The owner told me he valued them at 75*s*. per head, and thought the average weight of the butter from each, the calf being taken from the mother when ten days old, was about 120lbs. each year. The variation in the price of cows is much greater than in that of sheep, according to their race, to the soil on which they are pastured, and to the distance from large towns requiring supplies of milk and butter. The price of hay varies, according to the situation and quality, from 14*s*. to 20*s*. the ton.

The general burthens of the state in Prussia, are the subject of complaints among all classes; and, although they may appear to us to amount to a very small sum, rated by the number of persons, they must be considered heavy, in a country so destitute of little other capital than that of land, now vastly depreciated in value. The whole taxes in Prussia amount to about 10*s*. per head; but the effective value of money, in exchange for commodities, may be considered to be double what it is with us.

Those taxes pressing peculiarly on the land are, first, the grund steuer or land-tax. This is not, however, imposed on each province, but only in those where it existed before they were united to the Prussian monarchy. This is not levied in Brandenburg, though it is collected in each of the three maritime provinces, which are the subjects of more immediate consideration. This tax was designed to be 25 per cent on the nett value, or annual rent of the land, and when imposed was an equable burthen. In process of time, from the improvement of some estates, and the neglect of others, and from a variety of other causes, that rate which was originally equal has become, in practice at the present day, very unequal.

The land is divided into six classes, the rent of the lowest of which is estimated to be about 7*d*. per acre, and that of the highest about 4*s*. an acre. On this amount the tax is 25 per cent, and averages in the three maritime provinces somewhat less than 3*d*. per acre. The gross amount collected in the three provinces annually, according to Hassel, is about 265,000*l*. sterling.

The local taxes, which have been already noticed, do not fall wholly on the land. That for the disabled soldiers, and the families of such as fell in the conflicts, is in part borne by the cities and towns, though the chief weight falls on the land. The same, in some measure, is the case respecting the tax for roads, bridges, schools, and the poor. These are various in different districts, so that it is impossible to form any general estimate of their amount. In some parts of the country, I was told, that the local taxes were equal to the grund steuer in their district; in some, that it was higher; and in others, that it did not amount to one-tenth. Among the cultivators, I heard much complaint of the heavy tax on the distilleries. As far as the tax operates to diminish the consumption of the grain, or other products of the land from which spirits may be extracted, it is a burthen on the land; but I have reason to believe that, from the mode in which the tax is collected, those who have distilleries on their farms, by paying the tax at a high degree of strength, and supplying it to the retailers at a lower strength, are so far from being aggrieved, that they are really benefitted by the tax.

The village clergy have commonly a house, some glebe land, and a fixed annual portion of corn, which, in most cases, is delivered to them by the lord, in pursuance of an ancient arrangement. The quantity has been long since defined, and not being subject to any alteration is scarcely ever spoken of as a burthen on the land.

The other taxes bear no more on the persons employed in agriculture than on those engaged in pursuits of a different kind. They are chiefly on the consumption of foreign commodities attaching to the consumers, from whatever sources they may draw the revenues by which they are enabled to indulge in the use of them.

The military service is extremely onerous, as every young man is compelled to serve three years, from the age of twenty to twenty-four, as a soldier. This, though not precisely a tax, and not peculiar to the agricultural class, is a burthen which perhaps presses as much on the productive industry of the country, as the heavier taxes that are collected in other countries. To this must be added the quartering of the troops, who are billetted on private houses; and however well discipline may be maintained amongst them, must be a great annoyance, and in most cases an expense, which, though apparently trifling in amount, becomes weighty to those whose means of supporting it are small.

In a country where four fifths of the inhabitants subsist wholly by producing food, and depend for the conveniences besides bare food, on the price which they can obtain for their surplus, the low rate at which that surplus can be disposed of must be felt and observed in every rank of society.

The scale of living in the country we are considering, corresponds with the low prices of the objects in which their labour is employed. The working class of the inhabitants, amounting in the maritime provinces to upwards of a million, including both those who work for daily wages and those who cultivate their own little portions of land, cannot be compared to any class of persons in England. This large description of the inhabitants live in dwellings provided with few conveniencies, on the lowest and coarsest food; potatoes, or rye or buck wheat are their chief, and frequently their only food; linen, from flax of their own growth; and wool, spun by their own hands, both coarse and both worn as long as they will hold together, furnish their dress; whilst an earthen pot that will bear fire forms one of the most valuable articles of their furniture.

As fuel is abundant, they are warmed more by close stoves than by the shelter of their wooden or mud houses, covered by shingles, which admit the piercing cold of the severe weather through abundant crevices. If they have bees and a plot of chicory, their produce serves as a substitute for sugar and coffee; but too often these must be sent to market to raise the scanty pittance which the tax-gatherer demands. Though the price of whiskey is low, yet the farm produce is still lower, and neither that nor the bad beer which is commonly brewed, can be afforded by the peasantry as a usual drink.

In common seasons this description of people suffer much in the winter; but in times of scarcity, such as followed the disastrous harvest of 1816, their distress and their consequent mortality is largely increased.

It is not intended to insinuate that all the small farmers are in the circumstances here described. In some situations there is a most pleasing difference; on the banks of the Oder, below Kustrin, a colony is established on a rich tract of land, called the Neiderung, recovered by embankment from the river. The inhabitants were invited here on account of a persecution of the Protestants in Bavaria and the Palatinate, during the reign of Frederick the Great. They are exempt from most burthens, the soil is highly fertile, and the district more resembles some parts of Flanders than the other districts of Prussia. The properties are from six to twenty acres, but subdividing as the population increases, as each of the sons share the land alike. It is thickly peopled, and most of the produce is consumed on the spot where it grows.

A similar district near Dantzic, on the banks of the Vistula, called the Neherung, exhibits a similar picture. The chief inhabitants are a religious sect, called Menonites, whose principles forbid them to become soldiers, from which they are excused, on condition of paying a higher rate of taxation.

On the banks of the Nieman, and in some other spots, are similar groups of small occupiers in tolerably easy circumstances. They are, however, not a thirtieth part of the whole of the class, and where they occur are only exceptions to the general description.

As these people happen to be placed in spots of rare fertility, to be freed from some imposts, and to be distinguished by their sobriety, industry and economy, they are going on increasing in numbers, till, in a few years, the division of land will be so great as to cause the necessity of removal to less-peopled districts.

The representation of the distressed

state of the agricultural inhabitants of this part of the Prussian dominions, which has been here given, receives confirmation from the proceedings of the Landschaft, or assembly of the provisional States of Prussia, in their last session. The address of the assembly has not been made public, but is said to have been framed in very melancholy strains, and to have urged the king to take some measures of a decided nature respecting the introduction of British goods, in order to induce our government to make some alteration in the Corn laws. Whatever may have been the representation of the states, the reply of the king, which has been published, gives an air of probability to the rumours, that it had an object, in some degree of this kind:

"With regard to the prayer for an intercession with the English government to repeal the Corn bill, his majesty expressed a hope, that to improve the intercourse between the two nations, a change will take place in the English Corn laws."

"Berlin, 26th November, 1825, from the Hamburgh paper, 'The Correspondent.'"

One of the effects of the agricultural distress, which was visible in the condition of the inhabitants, seemed to be a decrease in the cultivation of bread corn. The replies of the president Rothe, [see Appendix, No 11, B.] shows that on six farms, amounting together to 10,390 acres, of which eight years ago 6,926 acres were cultivated with grain, there are at present only 4,864 acres applied to that purpose. Mr. Gibson, his majesty's consul at Dantzic, states, in a letter received since my return, dated 24th November, 1825, that the "cultivation of wheat has been much circumscribed of late years; and that it will take much time to extend it; that flax is cultivated now to a much greater degree than formerly in East, and parts of West Prussia; that the export of butter is increasing very much; that rape seed is attracting much attention; and that these circumstances, with the breeding of sheep, will further operate in diminishing the production of grain." It appears, too, by the official returns of exports [see Appendix, No 10,] that the excess of exports of corn in the years 1821, 1822, and 1823, had much declined from those of former years; and that in the year 1824, the maritime provinces of Prussia, instead of having any surplus of wheat, imported 47,236 quarters more than they exported. This quantity may probably have been added to the former accumulation, but, if so, it is still evidence of a decline in the actual produce of wheat in the Prussian territories.

Those Prussian provinces to which my chief attention was directed have never been manufacturing districts, although they have, during a long series of years, made both linen and woollen cloths for their own use. They have had rather domestic labour than any establishment for the purpose; of late, however, attempts have commenced upon a larger scale, and projects were in agitation of various kinds, for making woollens and cottons in manufactories where the aid of machinery was to be applied. The chief inducement to these attempts was the low price of provisions, and the consequent expectation of a low rate of labour; they were, however, but attempts, and were not viewed with any very promising expectations by the persons I had any opportunity of conversing with on the subject. They seem to be rather the creations of the government, than the spontaneous issue of the deliberate calculations of capitalists seeking for beneficial modes of employing their money.

The only kind of goods that I heard of, calculated for distant markets, are some made of the native coarse wool, dyed deep blue, trials to introduce which have been made in England. These are made by some small farmers who were employed in the summer on the land. They are made out of 18lbs. or 20lbs. of wool, worth about sixpence per pound. The spinning is performed by the females of the family, whilst the father weaves them. It employs him three days to weave a piece, which is about sixteen yards in length, and forty-two inches wide. The value of his day's work was stated to be *9d.* thus making that part of the labour which he executed, to be *2s. 3d.* The fulling is performed at a public mill, and the finishing and dying is executed in Berlin, by persons who send their agents to the farm-houses to collect the cloths in their rough state. I was told that these kind of cloths might be afforded in London at little more than *2s.* per yard, and were calculated for negro clothing. As the spinning is the most material part of the labour, and that is performed at leisure time, the maker's gain is the whole of that, as the time would be otherwise unemployed. Manufactures of this kind are useful in the state of society which exists where these goods are fabricated, but the limits to their extension are necessarily very confined.

I have no reason to think that hitherto the low price of corn has had the effect of lowering the price of manufacturing labour, in any degree approaching to the depression which the products of the soil have experienced. In the building of ships, which is indeed the chief manufactory of the maritime provinces, the rates of wages have very considerably fallen, not, indeed, so much as bread, but to an extent that has increased the building of vessels, and induced some English houses to contract for the building of Prussian vessels to be employed in distant voyages.

The effect, however, of the low prices of agricultural produce, is more experienced in the provisions for the crew, than in the cost of the constructions of the ships. This may be seen in the cost of food for a Prussian ship in the Appendix, No. 13. It is true that our seamen are accustomed to better food than the Prussians, but their superior professional skill makes up for the difference. Besides, as the Baltic is frozen several months in the year, the loss of time seems to be more than a compensation for the differences in the price of food.

In pursuance of the instructions that were given to me by your lordships, I made every attempt in my power to ascertain the actual cost of the wheat to the growers of that grain in Prussia. Whoever has made similar attempts in this country, however well he may have been acquainted with all the practical details, even if he could obtain with most scrupulous accuracy the amount of seed sown and harvested, has found them attended with such difficulties, as to afford no great degree of confidence in the results obtained.

Thus, for instance, in our common four years course of turnips, barley, clover and wheat, though it may be easy to ascertain the whole expenditure in rent, taxes, labour, manure, interest of capital, and deterioration in the working cattle and utensils during the four years, yet scarcely any two persons will agree in the apportioning that expenditure to each of the four crops. The relative value of those crops to one another will vary in every year, one will be good, another indifferent, another very bad. The value of the feed to the cattle fed on the produce of the first and third years will be very differently estimated by different persons. The proportions of the expense of fallowing and manuring will be distributed among the several crops, according to the arbitrary rules of adjustment which the individual making the calculation has formed in his own mind, from his own local and particular observation.

It is an easy task, if farming accounts are regularly kept, to ascertain at the end of the four years how much has been gained or lost during the rotation; but the distribution of that loss or gain is subject to so many variations of opinion, and so many vicissitudes depending on situation, soil and weather, as to prevent reliance from being placed on any estimate of the real cost of either one of the descriptions of grain.

The same obstacles will present themselves to the attainment of accuracy, where any other rotation of crops is adopted.

If the difficulty is thus great in attaining, or even approximating to certainty in the cost price of any particular description of corn in this country, it may well be deemed much more bold to hazard an opinion on that subject, in a foreign country, where many circumstances, which can be but imperfectly known to a stranger and temporary visitor, may have a powerful influence.

I received many statements from the different persons with whom I conversed on the subject, as to what they considered to be the actual cost in a number of years, of wheat and other corn. These, as may be supposed, widely varied from each other. Although I was fully convinced that for several years the loss on the mass of agricultural products throughout the maritime provinces of Prussia has been very great; and that, instead of leaving any thing for rent, that has been much more than absorbed, yet I could place no reliance on the accuracy of any statements which attempted to define the exact limits of the loss on each kind of corn.

In founding a calculation on the answers of president Rothe, though I give to that gentleman's facts the most implicit confidence, yet I should hesitate, if he had stated what was the cost price of wheat and rye, to yield to him the same assent; I have no doubt, however, he is accurate in stating, that the loss on the corn grown in the year 1824, without allowing any thing for rent, was 20 per cent. According to the paper in Appendix, No. 11, the price at which the wheat on the estate described was sold in the year 1824, when the crops were good, was one thaler and a half per scheffel, or three shillings per bushel, by which a loss of 20 per cent was incurred, besides the whole of the rent, according to which the cost price to the farmer would be about 28*s.* 9*d.* per quarter on the spot.

	s.	*d.*
Sale price 3*s.* per bushel or per quarter	24	0
Loss, estimated at 20 per cent....	4	9
	28	9
Allowance for rent, calculated at $\frac{1}{10}$ of the gross proceeds	2	3
Which would make the cost	31	0
If to this be added,		
Shipping charge, and merchant's commission or profit	2	9
Freight, primage and insurance to London	8	0
Lighterage, landing charge and commission in England	1	3
	43	0

The cost of wheat may be in some degree approximated to, by ascertaining the selling prices for a series of years. If that series be short, it may be affected by various intervening events, such as war, invasion, or deficient harvests; but by being spread over a long series, the effect of adventitious circumstances became lessened. It is reasonable to calculate, that in a long series, the profit on corn cannot be much above that on other branches of industry in the same country. If the profits on raising corn are much above those of other occupations, an increased quantity, to the production of which the augmented capital might contribute, would cause the price to fall; if those profits were much lower, a diminution of supply, to which the loss of capital would contribute, would tend to raise the prices.

Although from the fluctuation in the productiveness of different years, corn is less subject to the general abstract principles by which supply and demand, as regards other commodities, are regulated, in a short period; yet, in a long period such as thirty or forty years, or longer, it also must be governed by them.

Without going back to the long list of prices for the last hundred and sixty years, for which, see Appendix No. 24, we may adopt that which begins in 1791, and ends in 1825, Appendix, No. 13; for five of those years no prices are given, because the ports were shut. The average of the whole of these years, taking the lowest and highest price of each year, and disregarding the difference of the quantities sold in the several years, gives the price at 2*l.* 5*s.* 11*d.* per quarter. The largest quantity was sold in the years when the price was highest, being, probably, the stocks which had accumulated during the years of low prices. The price of those years may therefore be considered as speculating prices. If the years 1800, 1801, 1805, 1817, and 1818 be struck out, the average price of the thirty remaining years will be 1*l.* 13*s.* 6*d.* If we suppose a profit to be made of ten per cent by the dealers in corn, these thirty years will give, as the cost price to the grower, after paying rent, a price nearly approaching to that which is given before, as calculated on the data furnished by president Rothe.

Without placing much reliance on it, yet some corrobation is received, by the market prices of Berlin, for the last eleven years, where the average price of the best Polish wheat has been 1*l.* 16*s.* 6*d.* or about ten per cent higher than the average of Dantzic, for the thirty years to which we have referred. This may be accounted for, partly by the quality of the wheat, and partly from the additional conveyance and consequent expenses. The returns from Berlin, taken on St. Martin's day in each year from 1774 to 1824, for which, see Appendix, No. 17, give, as the average price for the fifty years, 1*l.* 14*s.* 6*d.* As the best of the wheat is probably brought to the capital, some allowance must be made for the superior quality, and also something for the profit of the dealers, through whose hands it has passed. This will bring it sufficiently near to the price here assumed, to give probability to the calculation.

Although since the return of peace, no alleviation of the public contributions have been applied, and no diminution of the other subjects of expenditure which compose the cost of growing corn, has been experienced, yet the contrast between the first and last five years since that event took place in the prices of corn is so striking, that it deserves to be noticed. In Dantzic the average of the five years, from 1816 to 1820 inclusive, gives for wheat 2*l.* 14*s.* 5*d.* per quarter, and that for the years 1821 to 1825 inclusive, 1*l.*

6*s.* 2*d.* In Berlin the average for the first five years, is 2*l.* 6*s.* 4*d.* and for the second 1*l.* 6*s.* 7*d.*

The far greater part of that division of ancient Poland which is now comprehended in the viceregal kingdom of that name is a level country, with scarcely an ascent or descent, except where the courses of the rivers have formed channels below the general level of the country. As these rivers, though in summer they appear small streams, are swollen by the rains of autumn, and the melting of the snow on the Carpathian mountains in the spring, they form large channels, extending on both sides to a great distance; and their deposit, in many parts, enriches the land, and it presents in the summer the aspect of verdant and luxuriant meadows. In other parts the periodical swellings of the streams have formed morasses, which, in their present state, are not applicable to any agricultural purposes. The plains, which extend from the borders of one river to another, are open fields, with scarcely any perceptible division of the land, and showing scarcely any trees even around the villages. The portion of woodland on these plains is very extensive; but they are in large masses, with great intervals of arable land between them.

The soil is mostly sandy, with occasional mixture of a sandy loam; it is very thin, resting chiefly on a bed of granite, through which the heavy rains gradually percolate. Such a soil is easily ploughed; sometimes two horses or two oxen, and not unfrequently two cows, perform this and the other operations of husbandry.

This representation of the kingdom of Poland is strictly applicable to six of the eight waiwoodships or provinces into which it is now divided.

To the south of the river Pilica, which comprehends the two provinces of Sandomir and Cracow, the appearance of the land, and the face of the country improve; and, in proceeding south to the banks of the Vistula, there is to be seen a more undulating district and a more tenacious and fruitful soil. Much of the land is a clayey loam, requiring three or four horses to plough it, yielding, when tolerably managed, crops of excellent wheat and oats; and, where the husbandry is so good as to have adopted the practice of sowing clover between the two corn crops, the produce is very abundant.

The southern point of this district, forming now an independent republic, called, from the name of its capital, Cracow, is very fertile. It extends along the Vistula about 20 miles, and contains in 500 square miles or 320,000 acres, about 100,000 inhabitants.

Some of the estates in Poland, belonging to the nobility of the highest rank are of enormous extent; but, owing to the system of dividing the land among all the children, unless a special entail secures a majorat to the eldest son, which is in some few instances the case, much of it is possessed in allotments which we should deem large; but which, on account of their low value, and when compared with those of a few others, are not so. Of these secondary classes of estates, 5 or 6,000 acres would be deemed small and 30 or 40,000 acres large.

There are besides these, numerous small properties, some of a few acres, which, by frequent subdivisions, have descended to younger branches of noble families. The present owners are commonly poor, but too proud to follow any profession but that of a soldier, and prefer to labour in the fields with their own hands rather than to engage in trade of any kind. As titles descended to every son, and are continued through all the successors, the nobility have naturally become very numerous; but since the emperor of Russia has gained the dominion over Poland, the use of titles has been restricted. No one can assume that of baron, unless his clear income from his estates exceed 1,000 gulden, or 25*l.*; none that of count, whose rents are less than 3,000 gulden or 75*l.*; and none that of prince, who has less than 5,000 gulden or 125*l.*

The whole of the lands are made alienable, and may now be purchased by persons of any rank, and are actually held by some who are burghers or peasants; the Jews alone are prohibited from becoming proprietors of the soil, though they have very numerous mortgages upon it. When they foreclose, the lands must consequently be sold; and, as these Jews, the monied capitalists, cannot become purchasers, the prices they yield are very trifling.

The most numerous class of cultivators are peasants, they have a limited property in the lands which they occupy, and the cottages in which they live, under the condition of working a stipulated number of days in each week, on their lord's demesne, and paying specified quantities of produce, such as poultry, eggs, yarn and other things, in conformity with ancient usage.

The extent of these holdings vary, according to the quality of the land, and the quantity of duty work, or of payments in kind, which are to be fulfilled.

On a large property which I examined, the peasants had about forty-eight acres of land each, for which they were bound to work for two days in every week with two oxen. If their labour was further required, they were paid three-pence per day for two other days; and, if beyond that number, sixpence per day: on another property, I found the peasants had about thirty-six acres, for which they worked two days in each week, with two oxen; when called upon for extra labour, they are paid sixpence a day for themselves and oxen for the next two days, or if they work without their oxen, threepence.

If their labour is demanded the remaining two days in the week, the sum to be paid is made the subject of a special agreement; on one estate the peasants had but twenty-four acres, and did one day's work themselves, with one horse; the rest of their labour was paid for in money, by agreement made at the time it was required. Another proprietor, on land somewhat exhausted, granted to each of his peasants more than fifty acres of land, for which they worked with two horses three days in a week. It would be easy to give instances of more various rates of duty-work, and of the quantity of land which is appropriated for its performance. Some are of a luxurious and of a ludicrous kind. I was told that the inhabitants of two whole villages, near a princely domain, hold their lands on condition of employing a certain number of days in each week, in cleaning the walks, and keeping in good order the pleasure-grounds, which surround the vast castle of their benevolent and hospitable lord.

In general, this peasantry is in a condition of great distress, and involved in debt to their lord. They are no longer slaves, or adstricti glebæ. By the constitution promulgated in 1791, they were declared free, and that part of the constitution suffered no alteration under the dominion of the Russians and Prussians; was confirmed when the king of Saxony became sovereign, and was again assured in 1815, when the emperor of Russia was enthroned as king of Poland.

The practical effects of the privileges thus granted have hitherto been very inconsiderable. The peasants can leave their land, but must first acquit the pecuniary demands of their lords. Few are able to do this, as most of them are in arrears. The lords must supply them with their oxen, in case one dies; their plough and other implements must be furnished to them by him; and in years of scarcity they become involved in debt, for the requisite subsistence of themselves and their cattle. This, together with local attachments, and the habit of respect for their feudal superior, has, in general, prevented the peasants from wandering away from the houses of their fathers, and from the protection of their chief. It thus rarely happens that the peasants quit the estates on which they have been born; and the instances that do occur, are chiefly to be attributed to the embarrassed circumstances into which their lord may fall. A declining property produces a necessitous peasantry, and such may sometimes be induced to try their fortune under another proprietor.

A gentleman, with whom I formed an acquaintance, had been compelled to take an estate which was mortgaged to him. He found no peasants on it; the land was neglected, and the buildings delapidated. As no tenant would take it at any rent, he was under the necessity of farming it. To induce peasants to come to him, he granted them a larger portion of land than was customary on that quality of soil, built them houses, supplied them with oxen and implements, sowed the corn of the first year, and fed them till it was fit to be converted into food. By these means, though he was enabled to get his labour performed, yet he assured me it was by persons of the least skill, industry, and sobriety.

The want of peasantry is a general subject of complaint, especially among those (who are far the greater number) whose estates are loaded with mortgages or other incumbrances; such sometimes lose them, but cannot command the means of inducing new ones to settle on the lands.

Though no longer slaves, the condition of the peasants is but little practically improved by the change that has been made in their condition. When a transfer is made, either by testament or conveyance, the persons of the peasantry are not indeed expressly conveyed, but their services are, and in many instances are the most valuable part of the property.

It is said, that when the freedom of the peasants was first decreed, it was viewed by them with great distrust. They were alarmed with the apprehension that in age or sickness, or other incapacity, they should be abandoned by their lords, and left to perish in want; by the form that society has taken in the course of the thirty-four years that have passed since the alteration was enacted, their alarms have been dispelled; and the same acts of kindness being exercised in most cases as were formerly customary, they can perceive no alteration in their condition that is either materially more beneficial or injurious to them.

These people live in wooden huts, covered with thatch or shingles, consisting of one room with a stove, around which the inhabitants and their cattle crowd together, and where the most disgusting kinds of filthiness are to be seen. Their common food is cabbage, potatoes sometimes, but not generally, pease, black bread, and soup or rather gruel, without the addition of butter or meat. Their chief drink is water, or the cheap whiskey of the country, which is the only luxury of the peasants; and is drunk, whenever they can obtain it, in enormous quantities. They use much salt with their vegetable food; and, in spite of the heavy tax on that commodity, can never dispense with the want of it at their meals. I was informed, and saw reason to credit the accounts, that when the peasants brought to the market towns their trifling quantities of produce, a part of the money was first used to purchase salt, and the rest spent in whiskey, in a state of intoxication that commonly endured till the exhaustion of the purse had restored them to sobriety. In their houses they have little that merits the name of furniture; and their clothing is coarse, ragged, and filthy, even to disgust.

Very little attention has been paid to their education, and they are generally ignorant, superstitious, and fanatical. They observe about twenty holidays in the year, besides the Sundays; and pass much of their time in pilgrimages to some favourite shrine, in counting beads, and similar superstitious occupations.

This representation of the condition and character of the peasantry, though general, cannot be considered so universal as to admit of no exceptions; some rare instances of perseverance in economy, industry and temperance are to be found; and, unfavourable as their circumstances may be for the creation of such habits, they are here attended by the usual correspondent results. Some few peasants have been enabled to gain three or four allotments, and to employ their sons or hired servants to work for them; and there are instances of such persons making a still further progress, and being enabled to purchase estates for themselves. Such cases as these, however, occur so rarely, that though they produce individual comfort and wealth, they have no perceptible influence on the general mass of society, or on the surplus quantity of agricultural productions.

As may be naturally inferred, from the system under which labour is applied to the land, that labour is performed in the most negligent and slovenly manner possible. No manager of a large estate can have his eye constantly on every workman; and, when no advantage is gained by care in the work, it will naturally be very imperfectly executed. All the operations of husbandry struck me to be very ill performed: the ploughing is very shallow and irregular; the harrows with wooden tines do not penetrate sufficient to pull up weeds in fallowing; the roller is almost unknown, and thus the land is filled with weeds of all descriptions. I observed the same want of attention in threshing; and it appeared to me that a much greater proportion of the grain was left among the straw, than in that which has passed under an English flail. In short, the natural effects of the system of duty-work was visible in the whole of the administration of the large estates where it is followed, with the exception of those few proprietors who have intelligent and active managers, and are free from pecuniary embarrassments.

The common course of cropping is, the old system of a whole year's fallow, followed by winter corn, and that by summer corn, and then a fallow again. Thus one third of the land bears nothing. The winter crop in the northern part of Poland consists of wheat and rye; the proportion of the latter to the former is nearly as nine to one, and the wheat enjoys the benefit of what little manure is preserved. Thus the wheat actually cultivated does not occupy more than one thirtieth part of the arable land. In the southern part of the kingdom, the wheat bears a larger proportion to the rye, amounting, on the more tenacious soils, to a fifth; and even in some cases, to a fourth part of the rye.

The statements I could collect, and my own observations, led me to conclude the stock of cattle to be very small, in proportion to the extent of land, and to the number of inhabitants. The government of Poland has not collected those statistical facts, which are so regularly registered by the Prussian, and some other of the governments of Germany; where they have been collected, as in the case of the population of the year 1817, I believe but little accuracy is to be discovered. I found, in a conversation with one of the ministers, to whose immediate department it belonged, that no great dependence could be placed on the census of that year.

In the absence of a more recent authority, I avail myself of a Prussian document, which shows the numbers of the different kinds of cattle in the provinces of Plock, in Poland, when it was under the dominion of that power. I have no reason to suspect the accuracy of this official statement, or to believe that this province is not equal in live stock to the average of the whole kingdom. I was told there was in the province of Podolachia, a greater number of black cattle, and in the province of Lublin, a greater number of sheep than in Plock; but those provinces were represented to me as deficient in other cattle, the former having fewer sheep, the latter fewer cows.

In the year 1803, the returns from Plock were thus: 45,028 horses and colts; 196,540 oxen, cows, and young cattle; 194,133 sheep and lambs; 95,634 swine.

The extent of this province is nearly one fourth of that of the three maritime provinces of Prussia; and, thinly as those are stocked with cattle in comparison with England, it will be seen, by the following statement, how much they exceed that of the district in question:

—	PRUSSIAN Maritime Provinces.	POLISH Province of Plock.
	Acres.	Acres.
Horses and Colts	1 to 42	1 to 106
Oxen, Cows, and Calves ...	1 18	1 24
Sheep and Lambs	1 10	1 24
Swine........................	1 35	1 52

If it be considered, that since the year in which the facts exhibited in this statement were collected, the country has suffered severely from being the theatre of war, from three changes of sovereigns, and from the low prices of all produce, it will scarcely appear probable that it has so increased in wealth as to have added materially to its stock of cattle, or even to have kept up that stock to the standard which it had reached before those visitations. It appears by the statistical account of the lordship of Pulaway and Konskowla, in the province of Lublin, which is considered to be one of the best managed estates in Poland, consisting of 119,232 English acres, that the stock of cattle, including those of the proprietor and his subjects or tenants, is somewhat below what the Prussian accounts show of the average of the province of Plock, in the year 1803. It appears to be [see Appendix, No. 18] thus,

	Acres.
1 Cow or Ox to	26¾
1 Sheep or Lamb to	19
1 Horse to	156
1 Pig to	146

No country can be much better adapted for the breeding of sheep than the greater part of the kingdom of Poland. Wherever it is attended to with due skill it is found to be beneficial; but the poverty of the landholders, and their want of knowledge of the advantages to be derived from that kind of live stock, keeps them from devoting their land to their propagation.

A very intelligent physician, a native of Germany, whose acquaintance I had the pleasure to make in Poland, and who devotes the money acquired by his medical practice to the purchase and the cultivation of land, told me that he purchased, four or five years before, a flock of fine-woolled sheep of the Saxon electoral breed; that he had already sold in fleeces and lambs as much as had replaced the whole capital expended, and had at present double the number which he had originally purchased. This striking instance of success, in an experiment in rural economy, is known to most of the cultivators; and yet it has been able to produce such few followers, that I was assured there were yet in Poland only two other flocks of unmixed fine-woolled Merino sheep. This gentleman was one of the first that had cultivated green crops on an extensive scale for feeding sheep; and, though the benefit of it was obvious, both in the produce of the wool, and the increase of the quantity and quality of his corn, it has had but little influence hitherto on the conduct of others, and that little is confined to a small spot near the capital.

Of the sheep in Poland, the best are those in the province of Lublin; but they are very far inferior to the breed of Saxony. The cows are a smallish race, and generally kept in bad condition, both as to food and cleanliness. They are for the most part stall-fed; but, from negligence, yield very little butter and no tolerable cheese.

With the exception of a part of the two southernmost provinces, as before noticed, the soil of Poland is of such a thin nature, that where it is moderately farmed it can scarcely be made to bear a medium crop of wheat more frequently than once in nine years. I examined a farm in the province of Lublin, the proprietor of which is in easy circumstances, and possesses several other estates. The extent of this farm is about 5,500 acres. The live stock consisted of sixty milch cows, which are let to a dairyman at about 19*s.* per year each; some few young cattle, eight or nine horses, and between five and six hundred sheep. The ploughing is performed by two oxen, for which and for his own labour, two days in each week, the peasant has a house, firing, and about forty acres of land, to which the manure made by his oxen is applied. About 2,000 acres is in this way in the occupation of the peasants. The manure, therefore, of the cows, sheep, and horses, is applicable to the lord's portion of somewhat more than 3,000 acres, and supplies it with more liberality than is practised on any other land near it. The whole is under the plough; there is neither meadow nor permanent pasture. The rotation of crops is as follows: the first year a clean fallow three or four times ploughed; the second year potatoes are planted; the third year wheat is sown; and in the following spring clover amongst it. The fourth and fifth years the clover is either made into hay, or used for the stall-fed cows and the horses, or fed on the land by the sheep; the sixth year, pease, or buck-wheat are grown; then it is fallowed for a year; and the eighth year a crop of rye is grown; and the ninth, or last year of the course, the land is sown with barley, oats, and buck wheat.

On this, which is considered a pattern farm, on which I have reason to believe the increase is greater than on any other in the district, the seed and produce are as follows:—potatoes, about twenty bushels to the acre planted, and about two hundred bushels raised; wheat, two bushels sowed, and from sixteen to twenty reaped; rye, two bushels sowed, and from twelve to fifteen reaped; buckwheat, three bushels sowed, and from ten to fifteen harvested. The barley and oats scarcely yield four times the quantity sowed; manure is applied after the potatoes for the wheat; the latter have the benefit of the fallowing, and the former of the manure. The manager, who was a man of skill, thought that when they had more cattle, and consequently more manure, he should be disposed to try the plan of sowing wheat once in seven, or even in six years, if the future prices of that grain should present sufficient inducement. This farm is one of the few in which all the labour, except that of the oxen and their drivers, is paid for in money, and not in produce. The common plan of threshing is, to give the thresher a certain proportion of the corn. This varies with the productive nature of the soil and the season, from the fourteenth to the eighteenth bushel. Here it was paid for at the rate of a florin, a trifle less than sixpence, for the korzec, a Polish measure, somewhat more than three bushels and a quarter; the mowing, reaping, and other kinds of labour, were agreed for at proportionably low prices.

Although this estate is well managed, and no rent is paid for it, I was induced to believe the assurance which was given to me, that it had not yielded any revenue to the proprietor in the last four or five years, in his joint capacity of owner and farmer. He had, however, a distillery, and near it is a village, with some establishments, on a small scale, for making coarse woollen cloths. There is no duty on the whiskey sold in country places; and the supply of that commodity in the neighbourhood, which is rather populous, leaves a profit, though not equal to the interest of the capital invested in the land, the farming stock and utensils, and the erection of the distillery.

I have dwelt the longer on the circumstances of this particular farm, not because it may be considered as showing the average increase on the usual scale of farming, but because the accounts of the receipt and expenditure, both in money and produce, are kept with great regularity. In the generality of farms which are under inferior management, the increase would be found much below the rate which is stated in the farm whose management I have described. If I were to generalize the whole of Poland, except the southern parts of the province of Sandomir and Cracow, I should not estimate the produce of grain to be more, if so much, as two thirds of that which appeared to be raised on the estate in question. In thus estimating, I should depend not only on my own observation of the state of growing crops, and of those which were being harvested, but on the opinion of the persons best qualified to judge, by being in the habit of looking at the amount of produce, upon a large scale, and by being furnished with the best means of judging the average of the whole.

With that description of persons, including the chiefs of several departments of the government, the prevailing opinion was, that the average produce of wheat was not more than fourteen bushels; of rye, ten; of barley, fourteen; of oats and of buck wheat, from eight to ten to the acre. Although the southern parts of Sandomir and Cracow yielded rather more, yet their corn, being celebrated for its excellent quality rather than for its much greater produce, and extending to but a small proportion of the whole even of those provinces, it was not calculated that it would have the effect of raising the average of the whole kingdom, in any sensible degree, above the rate here stated.

Upon this subject, I could have wished to have been enabled to give statistical details, rather than my own estimates, or those of persons better acquainted, than any foreigner can be, with the state of the country. If I had met with any agricultural writings expressly Polish, and had understood the language, I might have gleaned from them some facts to rectify, or to corroborate the estimate of the actual acre-able produce of grain; but as every manager of a farm, that I met with, understands the German language, and obtained whatever knowledge books could give him, from the writers of that nation, there is little inducement to compose works in Polish, on such subjects; and the German authors, though very accurate, and copious, in their statistical reports of their several districts, can know little, and can have no inducement to learn much of the statistical details of Polish agriculture.

The managers of the farms of the greater nobles, are commonly men of good education, as well as good manners, having been most of them officers in the army, and I found them well acquainted with the agricultural writings of Thaer, Schwartz, and other Germans; and, by means of German translations, with those of Arthur Young, sir Humphrey Davy, and other Englishmen. Being almost cut off from society, and the sports of the field not being, as with us, an object that engages much attention, they have recourse to books to relieve their solitude in the long nights of their tremendous winters.

Having noticed the two provinces which yielded the best wheat, it may not be useless to observe in addition, that but some small portions of each are highly productive, and those at that extremity of the kingdom which is the furthest removed from the ports in the Baltic, at which alone their corn can be shipped for this country.

I first entered the province of Sandomir from that of Massovia, and went through it, by the towns of Kozience and Granica, till I reached the Vistula, and crossed it at Pulaway. In this route there was nothing in the face of the country, or in the appearance of the crops, to distinguish them from those of the other parts I had noticed. On my way from the province of Lublin, I again entered Sandomir, passing the Vistula at Rachow. From that river, for sixty or seventy miles, the fertility of the land was not sensibly greater than the general appearance of the other provinces. After passing Stobnica, the country vastly improved, and continued good through Nowe-Miastow, Kozyce, and Przeclawice, till I entered the province of Cracow, at Iwanowice. It is an undulating district, somewhat hilly: the soil, a good brown loamy clay, rather stiff to plough, requiring three, or even sometimes, four horses to work it. The stubbles of wheat were tolerably thick, and proved that the crops must have been good; they were, however, far from clean, and the wheat, having been sowed after a fallow, there would have been more appearance of young clover, if the management had been well conducted. The wheat grown here is that which is known in London by the name of Dantzic white wheat; it is of the most excellent quality, very white and heavy; I did not learn that the average growth was much beyond, if it reached, twenty bushels to the acre; though I heard of individual instances of a greater quantity being yielded in good years. The district is about sixty miles in length, but not broad, extending from the left bank of the river, to various, but none great, extents inland. The province of Cracow, as far as I saw it, is of nearly the same kind; I was informed that some of the northern divisions of it were poor in its agriculture, but rich in its mines of iron, coal and calamine. The territory of the republic of Cracow is like the province of the same name, in the kingdom. The marks of more freedom allowed to exertion are visible in the extensive fields of flax, and the inclosures with tobacco, maize and a great variety of garden vegetables; a part of it is likewise rich in mines of coal and calamine; and great quantities of zinc, made from the latter, have been beneficially exported to England, since the passing of the late law, by which the duty on it was reduced.

This tract of country which appeared to me so fertile, and in which I remarked more of the outward signs of comfort, does not, including the territory of the republic, in extent amount to one sixtieth part of the present kingdom of Poland. There is in it, the same suffering from the low prices of produce, and a disposition to invest any capital that can be found, in mining, rather than in cultivating the soil.

The province of Gallicia, a part of the ancient kingdom of Poland, but now added to the dominions of the Austrian empire, which stretches along the right bank of the Vistula, is, I believe, nearly as fertile as the southern part of the present kingdom of Poland, or the territory of the republic of Cracow. I passed through only that portion which lies between the salt mines of Wieliezka, and the frontiers of Moravia. I found by the accounts I obtained at Thorn [see Appendix, No. 19], that very little wheat from that rich and extensive province had been conveyed down the Vistula to the Baltic, though the access to the sea is as easy as from the south parts of the kingdom of Poland, or from Cracow; yet the trade in corn is impeded by transit duties both in Poland and in Prussia. No transit duty is charged in Poland, on the corn of its own growth; and by a treaty of commerce, concluded in the month of March last, with Prussia, the duty at Thorn is reduced to a rate that is almost nominal. There is no such treaty with Austria; and the corn from Gallicia thus continues loaded with the duty, on entering the Prussian boundaries, from which that of Poland is now exempt.

I believe some of the surplus corn of Gallicia finds a vent by land carriage into the Prussian province of Silesia. It must however be but in small quantities, forming a part of that stated to be exported from Austria [see Appendix, No. 20.]

It was difficult in such a country as Poland to attain to any accuracy on the rent of land; the owners generally occupy themselves their domains, and cultivate them by the hands of their peasants.

The lands of the Crown are differently circumstanced; they comprehend one third of the whole surface, or about ten million acres; somewhat more than two millions of these are woods, which are managed by a department of the government. The remainder is chiefly arable land, and is leased to tenants. The labour of the peasants is a part of that which is leased. The tenants of the Crown are exempt, as well as their peasants, from some taxes, to which all other occupiers of land are subject, and in consequence of it the estates are better stocked with peasants. Hence, as I was assured by the chief of the department, that the peasants on the Crown lands form nearly one fourth of the whole population of the kingdom. To the farmers of these, this must be a great advantage, which but few, and only the richest and most humane lords, can partake with them.

With this freedom from taxation and ample supply of labourers, the lands are let very low; the nominal rent of eight million of acres of land, is stated in the public accounts to be four millions florins, or about ninety-five thousand pounds sterling, or somewhat less than threepence the English acre. In the average are included many acres literally of no value. I was informed, that the land actually under cultivation might be fairly stated to be worth from eight-pence to fourteen-pence per acre. It is however found that the present rent cannot be afforded, that the tenants are falling into arrears, that the hope of recovering some parts must be abandoned; and in other cases, the rent can only be paid in corn.

The woods belonging to the Crown, consisting, as before stated, of more than two million acres, and under the administration of a public board, are felled in portions annually, so as to cut them every fifty years. The fiftieth part, which was cut last year (the price of wood having improved) produced, as stated to me by the chief of the department, the sum of forty-eight thousand pounds sterling, being at the rate of five-pence halfpenny the acre on the whole of the woods, or twenty-four shillings on the part actually cut.

So little land belonging to individuals is let, that it is difficult to form an opinion of what is its actual average annual value. That it is much lower than formerly, I have no doubt.

One instance came under my own observation. The proprietor of a large domain had let a farm, consisting of about seven thousand acres, on a lease, for the usual term of six years, at a rent of eight hundred and fifty pounds. That lease had expired just before I visited the place. The tenant had lost a great deal of his property, and the peasants had diminished in number; and a new lease had been taken by the same tenant, for no other could be found, at the rate of one hundred and seventy pounds.

I knew of one farm of about four thousand acres, let on a lease for six years, about four years ago, for one hundred and eighty pounds. The proprietor of it assured me, that though he received his rent regularly, he was convinced the tenant paid the whole of it out of his capital, and was only enabled to maintain his engagements from having other pursuits which were profitable. This estate is not more than twelve miles from Warsaw, and has an excellent road to within one mile of it.

Another instance of an estate recently let on lease, was related to me by the gentleman who had engaged to take it. It consists of about two thousand three hundred English acres: two-sevenths of it is water-meadow, on the banks of the Vistula, producing good hay; about three hundred acres are woodland, and the rest arable. There is a castle or capital mansion on it, which I believe was the chief motive for taking it. The rent agreed for was about ninety-five pounds a year. The lessee, who is engaged in other pursuits, told me he should try the experiment of working the land by hired annual labourers, to be paid in money. He proposed to keep a flock of 400 Merino sheep, and a dairy of fifty milch cows, for the butter of which he flattered himself he should find a vent in a neighbouring manufacturing town.

These two last instances appeared to me to be exceptions to the general rate of value of rented land; and I should rather estimate the average to be much nearer that price at which the lands of the government are let. There is, in fact, scarcely any of that class of capitalists, as is familiar to us in England by the term farmer. The state of society is totally different.

Among the real Poles, there is no regular gradation of ranks between the noble proprietor and the wretched peasantry. There may be, and visibly are, differences in the condition of the peasantry, depending on the personal character of their lords, and upon the more or less embarrassed state of the property on which they may be settled. There is also a difference between the landed proprietors, owing to the different degrees of activity, economy, and attention that they exercise; but there is not a middle class of Poles. The Polish gentry are too proud to follow any course but the military career; and the government, by its large standing army, encourages the feeling, though the pay is scarcely sufficient to supply the officers with their expensive uniforms. The church has too few prizes among many thousand blanks, to induce any but the lower classes to enter on that profession. The offices of government can employ but few, and those are ill paid, and said to depend on small peculations, rather than on their salaries. Whatever difficulties may present themselves to the placing out young men of good family, none have had recourse to commerce; and, if they had, such would be treated by others as having lost their caste, and descended to a lower rank of society. The manufacturers and the artisans in Poland are almost all of the German nation. If a joiner, painter, mason, tailor, shoemaker, or a person of other similar occupations, including, too, the medical profession, is wanted, he will commonly be found only among the Germans. The merchants, bankers, and traders, are nearly as exclusively of the Jewish race, and that too of all classes, from the importer of wines and colonial produce, to the dealers in rags and old clothes; from the monied man, who traffics in foreign loans and foreign exchanges, down to the lender of small sums, which the poor can obtain by pledging their miserable furniture or implements.

Examples have been recently set by some individuals of the first families and wealth, of establishing manufactories, by forming colonies, with a view of raising a race of consumers on their domains, among whom a vent may be created for the productions of the soil; but they have in almost every instance, employed foreigners to conduct their concerns, and to perform all the work above the lowest kinds of drudgery. The Germans look too earnestly forward to a return to their own country with the money they acquire, to invest it in cultivation; and the Jews are not disposed to engage in agricultural, or in any pursuits or occupations in which their shrewdness in making bargains would be of less avail than the practice of hard labour and the most rigid economy.

When estates are sold, the growing timber, houses, and barns are not the subjects of a separate valuation, but are included in one sum in the purchase. The buildings on estates are, of necessity, more numerous and more extensive than are required in this country. From the indolent manner in which all labour is performed, a greater number of cottages is indispensable for the workmen. The corn is seldom or never formed in stacks in the open air, but is housed in barns, and the same is the case with the hay. The snow is so deep in the winter, that there is no food for cattle to be found in the fields; and such is the severity of the cold, that it is indispensable to build houses large enough to contain the whole herds of cattle, and the whole flocks of sheep. Besides the severity of the climate, the number of wolves is so great, and, in spite of all excitement by the government to destroy them, is so fast increasing, that no cattle can be left in the fields, in the winter. These animals range the country in bodies of from four to fourteen; and, when pressed by hunger, will attack any of the domesticated animals; and, indeed, no winter passes without several human beings, particularly children, falling a sacrifice to their voracity. Instances, it is said, are not uncommon of wolves undermining the foundation of sheep-houses to get at their prey.

From these circumstances, the relative expense of building on estates, compared to the value of the mere land, in spite of the low price of timber, of which those buildings are chiefly constructed, is greater than with us.

An estimate was made by a person eminently skilled in the value of land, who formed it upon actual sales made in the last four years. He divided it into three classes, according to their fertility. The lowest land in a state of cultivation, with good buildings and a competent number of peasants, he stated to be worth one thousand florins the huff. Valuing the florins at sixpence, though worth a fraction less, and taking the huff of thirty Magdeburg morgens, as equal to twenty-two English acres, the estimate would be a fraction less than twenty-two shillings sterling the English acre. The other kinds of arable land of superior qualities vary. The great mass is of the second class, or worth about thirty shillings; but some is estimated at five thousand florins the huff, or five pounds ten shillings; but little, however, is in this class, and that little is in the vicinity of the cities, on the banks of the great rivers, or in some favoured spots in the southern provinces. This estimate was rather founded on the state of affairs three or four years ago, than on their present condition; for I was told that such a number of estates had lately been offered for sale, that no price could be obtained for the greater part. All the inquiries I was enabled to make, in various parts of the country, led me to the belief, that the estimation here stated was, in the main, as correct as could be expected to be framed.

The Jews are almost exclusively the dealers in money. They are precluded from becoming landed proprietors, and their exclusion from the market tends to depress the prices in a very great degree. Though some of the richer individuals of that people pass through the ceremony of baptism, especially when they have mortgages on large estates, and mean to foreclose; the whole number of those who thus become qualified to purchase, bears but a small proportion to that of the properties that are offered for sale. I was assured from so many, and such various quarters, that I have no reason to doubt of the report, that almost every estate is deeply involved in debt. The fact is so notorious, that few proprietors feel any delicacy in acknowledging themselves to be partakers of the common lot of their neighbours. More than one, without any reserve, spoke to me on the sum annually required to pay interest on his mortgages, with as much coolness as an English farmer would speak of his rent, tithes, and taxes.

Among the mortgagees, the king of Prussia, and some of his monied subjects are by far the greatest, in that part of Poland which was included in his dominions, till Poland was erected into a grand duchy by Buonaparte, under the government of the king of Saxony. It had long been the practice of the court of Berlin to assist agriculture, by loans to the proprietors of estates. This practice began under Frederick the Great, and was continued to the disastrous period that followed the battle of Jena. This assistance was extensively afforded to the newly-acquired subjects of the part of Poland which, in the division of that unfortunate country, fell to the share of Prussia. Though the king of Prussia has lost the government, his claims, and those of his subjects, on the individuals indebted to them, have been recognized; and though in many instances the interest has gone on increasing, the claims have not been rigidly enforced. It was rumoured in Warsaw, but not on any authority, that the emperor Alexander, in his character of king of Poland, was negociating a treaty with the court of Berlin, which had for its object the relief of the Poles, by purchasing the claims of the Prussians, and assuming the debts to himself.

The amount of the claims of Prussia was stated to me to be two millions of Prussian dollars, or three hundred thousand pounds sterling, secured on various estates extending over near fifteen hundred thousand acres.

A more numerous class of mortgages comprises the corporations of cities and towns, the trustees of hospitals, schools, colleges, monasteries, convents and charitable institutions; whatever capitals these may possess is lent on land, and the difficulty of obtaining the interest as it accrues, and in some instances of getting any, causes those establishments to languish and decrease in their capacity to relieve distress.

Family settlements are mostly made on the security of land; for a long period there was no other means of making provision for the young and the helpless; and in the flourishing periods of agriculture, the interest was paid with punctuality; of late, however, the widows and ophans, whose incomes were deemed free from risk, have become victims to the general depression of the value of the produce of the soil.

The Jews, with all their characteristic shrewdness and sagacity, have become, in many instances, from mere necessity, mortgagees. When the debts of proprietors accumulated, and the price of produce fell, the monied men were often induced to secure themselves, as well as they could, by accepting of mortgages, where no payment could be obtained.

The representation here given is abundantly confirmed by the proceedings adopted in the Diet when assembled in May last. The two houses, consisting almost exclusively of landed proprietors, settled a plan to administer relief, which received the emperor's sanction.

A National Bank is to be established, in which landowners who are in debt, whether on mortgage or on simple contracts, may deposit a schedule of their estates, and a valuation of them: this valuation is to be made by themselves, and it is calculated it will not be made too high, because, as the present land-tax is collected on the income, and future imposts are to be levied according to this valuation, few will be induced to give in more than the true value. On the valuation, an annual interest is to be paid to the Bank, at the rate of six per cent, for twenty-eight years. This is to be considered as interest at the rate of four per cent; and two per cent is to form the means of discharging, by compound interest, the principal in twenty-eight years. The Bank, on receiving the documents, is to deliver to the proprietors its debentures or certificates; which, twenty per cent being deducted from them, they are made a legal tender for the payment of all debts; and on which four per cent interest is to be paid by the Bank. When the instalment of the first year is paid, the two per cent is to be divided among all the holders of the Bank debentures, by a lottery. The drawers of the fortunate numbers will then be paid in full. The others will receive their interest, at the rate of four per cent, till their numbers are drawn prizes, some of which must, of course, wait till the expiration of the twenty-eighth year; at which period, upon this plan, if it should work well, all the debts will be liquidated.

I have only noticed this project as a corroboration of the accounts I collected of the general state of embarrassment in which the landowners in Poland are involved. It may, however, be remarked, that the assumption of the proprietors being able, in their united capacity of landlord and tenant, to live on their estates, and have a surplus of six per cent on their value, is quite gratuitous, and founded on a rate of prices for produce which of late years has not been nearly realized. It leaves, too, an opening to fraud in the power of desperate proprietors, who may neglect the amount of future imposts for the sake of temporary relief. In fixing the rate of interest so low as four per cent, this project sacrifices the interests of the creditors to those of the debtors; for money is worth much higher interest on the best of all securities.

The bankers of Warsaw discount their own acceptances at the rate of half per cent per month. There are but few bills, it is true, drawn on them; but, when accepted, they become to the acceptors a secure mode of making interest of their capital. The number of bills drawn in Warsaw is few, and the amount small; but the rate of interest on them may be considered as the best criterion of the actual worth of the use of money, when no risk is incurred. The bankers are said to find the most advantageous employment for their capitals in speculations in Russian and Austrian funds.

The interest of money in Poland, as elsewhere, varies much, according to the necessity of the borrower, and the greediness or suspicions of the lender, as well as the nature of the security that is offered. The Jews lend small sums frequently at two per cent per month; any sum may be easily lent at ten per cent per annum on the security of jewels, plate and other valuables; but this lending is viewed with distrust by monied men. When the interest becomes due, if it is not paid, recourse must be had to the courts of law; and a judgment must be obtained before the articles pledged can be sold. The suit may be protracted for several years, whilst the high interest is accumulating; and, at the period of decision, the sum originally lent, with the interest upon it, may amount to more than the value of the pledge.

In Poland I was forcibly impressed, by remarking how much the actual use of money is dispensed with in poor countries, and how much of the traffic can be carried on by barter without its intervention. It is in this kind of traffic that the lower class of the Jews are enabled to make themselves the almost indispensable agents in every transaction of buying and selling. The numbers of the country people that attend at fairs and markets, with minute quantities of commodities, excite much surprise in one who remarks the thinness of the surrounding population, whilst the number of Jews, apparently mere spectators, sauntering through such collections of peasants, seems no less extraordinary.

No paper, or any other substitute for metallic money, circulates in the country; and the value in specie of every commodity that is produced at home, is very low, and the productions of foreign countries, exclusive of the taxes that are imposed, very high.

Cows are of various races, and, I think, differ more in their value than in any country I have ever visited. The common breed of the country are worth about 27*s.* or 28*s.* per head. The Ukarine, or the best, from Podolia, are estimated much higher, averaging 3*l.*; and some few, very good, are worth 4*l.* 10*s.* Flocks of sheep vary too, but not so much as cows; the lowest of the native breed are worth per head 3*s.* and the best about 5*s.* 6*d.* or 6*s.* Merinos are very rare at present, and worth from 8*s.* to 9*s.* per head.

The corn spirit, or whiskey, is sold in the country at 10*d.* per gallon; but paying a high duty, or being a subject of monopoly, farmed by the government to distillers on the entrance of the cities and towns, is retailed in them from 3*s.* to 3*s.* 6*d.* per gallon. Horses, except those of foreign races, are as low in proportion as cows and sheep. The price of meadow hay in the capital was from 14*s.* to 15*s.* per ton; so little is sold in the country that it would have been difficult to state what is the value before the expense of conveyance is paid.

There are few burthens laid exclusively on the land, except the tenth Groschen tax. That was originally a war tax, and is so still denominated, though continued after ten years of a peace, and there exists no present probability of its being speedily withdrawn. A small sum is levied in each district for the repairs of roads, bridges, and other local purposes; but that and the land-tax scarcely exceed twenty-five per cent on the presumed annual value of the land.

The tithes are very moderate, and chiefly compounded for at fixed rates, which can never be altered without the consent of the owner. Under one of their monarchs, the clergy were called upon to pay contributions to the state, at a rate which they gave as the annual value of their livings; and, upon these valuations, compositions have been settled. As the patron, with the consent of the archbishop (a consent seldom withheld), can remove an incumbent, they are necessarily too dependent to enter into contests about tithes. The secular parochial clergy are commonly men of slight education, usually the sons of peasants, to whom the somewhat elevated character of priest, with its small emoluments and freedom from hard labour, forms a sufficient inducement to enter on the ecclesiastical profession. I was told, but cannot vouch for its accuracy, or for the extent to which it may be carried, that since the Jews have been prohibited from keeping public-houses, the parochial priests have become in the villages the chief retailers of whiskey, and thereby increase their otherwise scanty incomes.

The other taxes fall no more on the landed interest than on other classes of the community. They are chiefly on consumption; that on beer forms a part, and is collected by a monopoly let to farm by the government, to brewers. All foreign commodities, such as sugar, coffee and wine, have heavy duties imposed. These are collected from all the consumers of them; and few of the agriculturists can at present afford to purchase such luxuries, but must be content with honey, dried chicory roots and whiskey, as substitutes for them.

The whole revenue, according to the statements of official men, does not exceed two millions sterling. As one fourth of the population, the tenants and peasants of the Crown, are exempted from paying the tenth Groschen tax, the heaviest of all the imposts; the sum extracted from the rest of the subjects, amounts to 15*s.* per head annually. The whole population of the present kingdom is between 3,800,000 and 4,000,000, having increased since its establishment 250,000.

The revenues do not pay the expenses of the government, but the deficiency is made up by remittances from Petersburgh, which usually amount to 4,000,000 silver roubles, or nearly five hundred thousand pounds sterling. The forced military service, and quartering of troops, are burthens on the land, which are difficult to reduce to any money estimation. The young men of good families are expected to become cadets in a service whose pay will scarcely clothe them; and the strongest of the labourers are selected as privates, without the formality of asking their consent, or drawing lots. When in quarters, the officers occupy the best apartments in the houses of the proprietors, whilst the privates are lodged in the peasants cottages. At present, the military are under good discipline; but still they have means of extorting from those on whom they are quartered, something beyond the use of bare walls.

Of late years the attention of the government, of those private nobles who have adequate means, and of the richer Jews, has been drawn to manufacturing. The very low rate of all mere manual labour, the extensive market of the vast Russian dominions being opened to the Poles, and the cheapness of raw products, have contributed to the establishment of numerous but not large undertakings, which, as far as I could form a judgment, promised to be beneficial to the individuals concerned in them.

I was assured by two noblemen at the head of different departments of the executive government, that within the last six years more than 250,000 foreigners, chiefly Germans and almost all manufacturers, had emigrated from their own country and established themselves in Poland. They have some privileges in regard to taxation. Those of them who are Protestants are supplied with churches and ministers, at the expense of the government, though on a low scale; and they are, for a prescribed period, free from the military conscription.

The cloth made from the native wool is coarse, and may not be very neatly fabricated; but as it reaches the markets of Russia without any impost, and enters into competition there with goods manufactured in England, the Netherlands, and Germany, which are subject to high duties and the expenses of conveyance,—it can be sold at correspondent low prices. These manufacturing establishments are, for the most part, on a small scale; but some of them of a higher class, for making finer cloths, have imported machinery of various kinds from England, or have copied it from what has been imported. In the application of that machinery they have not been very successful; but as long as it continues to be the maxim, that it is better to wear dear cloth and bad cloth made at home, than to buy good cloth and cheap cloth from foreign countries; and whilst the maxim is practically applied by imposing heavy duties on the cloth of all other countries, there will be a considerable demand for what is made.

I did not hear of any other goods than woollen cloths made for distant markets; but of late establishments have been formed for making linens, cottons, iron wares and paper, solely for domestic consumption, and chiefly by the aid of capitals to which the government has contributed.

The project which was the chief favourite when I was in Poland, was the working of mines. It had been brought under the immediate attention of the government, by an offer from a joint-stock company formed in England, to take the mines on lease for a term of years. Though the proposal was not accepted, it produced an excitement both on the ministers and on private individuals, and became the general topic of discussion. The mines have hitherto been worked but to a small extent, barely sufficient iron being extracted to supply the scanty domestic demand. The iron is said to be of an excellent quality, the ore capable of being raised but with little labour, and the mines situated in the districts where both coals and wood are abundant.

Besides the mines of iron and coal, there are others hitherto slightly worked, of calamine and copper. The attention awakened by the English proposal has not yet had time to produce any actual effects on the part of the government. From the state of the finances nothing can be undertaken till the consent of the cabinet at St. Petersburgh is obtained. In the mean time several Poles have arrived in this country on a mission from the ministers at Warsaw, to examine the machinery used for diminishing labour in our mines, and to acquire the knowledge of the most improved methods practised here for separating the metals from the ore. One individual, too, who has mines of calamine and coals, with whom I became acquainted at Cracow, has resolved to visit the mining districts of England early in the next spring, to learn the most economical modes of conducting his operations. The low prices of food and of labour must facilitate the business of mining extensively contemplated, if capital can be found to pay for that labour, and to wait for the returns till the produce of the mines can be re-converted into money.

My efforts to make computations of the cost price of wheat were as little satisfactory to myself in Poland as in Prussia. The same difficulties presented themselves, and the same doubts attach to every attempt at accuracy. As may be seen by the estate at Pulaway, in the province of Lublin, the book-keeping on the large estates is well conducted, but not in such a manner as to distinguish the cost of one kind of corn from that of another, or even to distinguish the cost of all the corn from that of the general mass of productions. Any calculation in Poland, as in other countries, can be but an approximation to accuracy, and must be received with hesitation, however high may be the authority, or however abundant the means of information, of the persons making it. In a conversation with count Mostoski, the enlightened minister of finance, whilst viewing his farm near Warsaw, he stated, as the result of his calculations, that the cost price in that neighbourhood was double as much as it was selling for at that time, which was indeed at considerably less than half of the average price it had borne in past periods for a series of years; that during those periods, the benefit on its cultivation had been somewhat less than the profit on the other branches of industry; or that, in the double capacity of landland and farmer, the annual gain to the cultivator had not been equal to that derived from the same amount of capital employed in any other way.

On referring to the prices of Warsaw [see Appendix, No. 21 and 22], it will be seen, that for a period of twenty-four years, from June 1796 to June 1820, the average of the period was 33*s.* per quarter; and that in the ten years from 1815 to 1824, it was 31*s.* The price, at the time of my visit to this gentleman, was 14*s.* 9*d.* The tables will show that the fluctuations in the price of wheat during the longest period, have had much narrower limits than have been experienced in the other markets nearer the sea shore.

It is highly improbable, that if the cost price of wheat had not been tolerably near to the selling price, efforts would not have been strenuously directed to augment the growth of it, and that the quantity raised would not have been regularly increasing; but this is so far from having been the case, that only so long as the price was 30*s.* or upwards, was the production kept up to the regular standard; and that when it fell but a few shillings below that price, the quantity sent to market diminished, and remarkably so, since the declension has gone on increasing till it has reached the present very ruinous limits.

The view taken by count Mostoski was confirmed also by prince Lubetski, another of the ministers, who is a cultivator of his own estates, and has officially paid attention to a subject, which has become of the highest importance, to every public officer, and every landed proprietor.

It is worthy of remark, that the present burthens on the land are quite as great as existed during any period of the twenty-four years whose prices are quoted; and that the heaviest of these burthens, the tenth Groschen tax, was not collected in the earlier years of the series. It was originally a war tax, but (as before stated) has been continued through the ten years that have passed since the peace was concluded. The expenses of cultivation have been undoubtedly somewhat reduced with the reduction of the selling prices of the produce; thus the cost of seed, and of the food of working cattle, if valued in money, would appear to be less, but they can scarcely affect the cultivator, who raises them, and consumes them, as he only can derive a profit or incur a loss according to the high or low price of that surplus quantity which he sells at market.

I am disposed, under all circumstances of the case, to pay much attention to the estimations I have related, which were also corroborated by the opinions of most of the cultivators with whom I conversed. With as much confidence as can be felt on a subject which no investigation could have made very clear, I should suppose the cost of wheat in the province of Massovia, to have been nearly between twenty-seven and twenty-nine shillings the quarter, for the last thirty years. Assuming that the cost price of wheat was at the medium, between the points to which in its fluctuations it had approached, we may calculate the cost in England thus:—

	s.	*d.*
Cost of the quarter of wheat at Warsaw ..	28	0
Conveyance to the boats, and charges for loading and stowing, and securing it by mats	0	6
Freight to Dantzic	5	0
Loss on the passage, by pilfering, and by rain causing it to grow	3	0
Expenses at Dantzic, in turning, drying, screening and warehousing, and loss of measure	2	0
Profit or commission, as the case may be, to the merchant at Dantzic	1	6
Freight, primage, insurance and shipping charges at Dantzic and in London	8	0
	48	0

In ascending the Vistula, beyond Warsaw, as the quality of the grain improves, the expenses on the conveyance of it to the mouths of that river increase also.

I could have wished at Cracow to have obtained the prices for a longer series of years than are to be found in the Appendix No. 23. Before the time with which that account begins, that part of Poland had used as the medium of exchange the depreciated paper money of Austria; and I had no scale by which to measure the variations, at different periods, between that currency and the silver money, which has been since the sole medium for the exchange of commodities. An account, therefore, for an earlier series of years, would have produced only perplexity and uncertainty; the verbal information I obtained was, in general terms, that there had been no fluctuations in the price of corn, before the return of peace, nearly approaching to those which have been experienced since that event. I was told by one merchant, that the price for many years of the war, had generally been between 24*s.* and 26*s.* per quarter, if the paper money had been valued according to the proportion which it bore to silver money, at the several periods of its depreciaiton.

The account obtained at Cracow [see Appendix, No. 23], shows that for ten years and two half-years, the average price of wheat was 25*s.* 1*d.*, though between the first and last part of that period, the difference is enormous; the first part showing an average of 33*s.*, and the last of only 17*s.* 5*d.* If the mean of those two parts be taken, it will show 25*s.* which nearly corresponds with the information of the merchant before referred to.

If, in the absence of better data, it be assumed, that the selling price of wheat near Cracow, has been for a series of years at 25*s.* and that the growers profit has been ten per cent; and the cost price thus taken, at 22*s.* 6*d.* the rate at which it would reach this country, may be thus estimated:—

	s.	*d.*
Cost of wheat at Cracow	22	6
Conveyance to boats, loading, &c.	0	6
Freight to Dantzic	7	6
Loss by pilfering, and damage from wet	3	6
Expenses at Dantzic, as in the former estimate	2	0
Profit or commission, as before	1	6
Freight, &c. to London	8	0
	45	6

Some allowance should be made for risk beyond insurance, as corn is covered by the underwriters only in the stranding of the ship, and in the loss which may be to be paid when there is a general average. In both the statements of the expenses of conveyance, the rate of freight on the river Vistula to Dantzic, as well as that by sea from Dantzic to London, is stated at the present price, when there are scarcely any operations of that kind carrying on. During the demand of 1802, 1803, and 1804, and in 1817, I have been told the freight from beyond Warsaw was 10*s.* per quarter, and that from Dantzic to London was, including primage and insurance, from 11*s.* 6*d.* to 12*s.*

If, from any circumstances, a demand should be created for as much wheat as is consumed in England in six days, it would raise the price of freightage on the river, probably thirty or forty per cent, and half of that proportion in the sea freight from Dantzic to this country. If that demand should extend to twelve days supply, it would exhaust the whole stock of wheat, fit for our market, and cause it to advance in a much greater degree than the shipping of such a limited quantity in any former period has witnessed.

In stating the several expenses incurred in the conveyance of wheat from Warsaw to Dantzic at 10*s.* 6*d.* per quarter, and from Cracow to Dantzic at 13*s.* 6*d.* per quarter, it seems that those sums fall very far short of the difference in price, which is exhibited by comparing the accounts collected at those several places. The merchants at Dantzic too, appear not to be satisfied with the small sum here presumed, of 1*s.* 6*d.* per quarter for commission and profits. Whether, from the higher expenses of conveyance, or the larger commissions, or profits of the merchants, the excess of the prices, beyond the cost of conveyance here stated, is very striking, especially in those years when the demand was the greatest.

Comparative view of the prices of wheat, in the several years enumerated, in Cracow, Warsaw, and Dantzic:—

YEARS.	Price at Cracow.	Price at Warsaw.	Price at Dantzic.
Average of 1796, 1797, 1798 and 1799 together	....	24/10	41/9
Average of 1803, 1804, 1805 and 1806 together	....	38/4	57/3
Average of 1815, 1816, 1817 and 1818 together	35/8	42/4	60/4
Average of 1821, 1822, 1823 and 1824 together	18/2	21/2	26/10

It will be seen by this contrast, that in the years from 1796 to 1799, when the exports by sea from Dantzic and Elbing were 1,493,480 quarters, the expenses of conveyance, from Warsaw to the port of shipment, with the profit or commission of the merchants, was 16*s.* 11*d.* In the years from 1803 to 1806, when the exports were 1,660,352 quarters, the conveyance and profit of the merchants was 18*s.* 11*d.* per quarter.

Since the great decline of prices, which began in 1819, it appears that the average prices at Dantzic, are so near to those at Cracow and Warsaw, that the rate of freight which has been actually paid, is greater than the differences between them. In the four years from 1821 to 1824, when the whole quantity shipped from Dantzic and Elbing, has been no more than 299,000 quarters, the difference in price between Cracow and Dantzic has been only 8*s.* 8*d.* and between Warsaw and Dantzic, only 4*s.* 8*d.*

According to several representations which I received, and which cannot be materially erroneous, the quantity of wheat raised in the interior of Poland has been gradually lessening, but with much more rapidity since 1819, than before that period. During the years 1821, 1822, and 1823, very little wheat passed down the Vistula, as appears by the accounts obtained at Thorn. By the official accounts, the whole in the three years was only 83,606 quarters; the growers being then induced to withhold from shipping, as long as their necessities would allow. In the year 1824, the pressing demands of creditors and mortgagees forced the holders to sell, and in consequence of it, there was sent down in that year, 93,968 quarters. The pressure of distress still continuing, and the harvest of 1824 being very good, there was forwarded in 1825, by the commencement of the harvest of that year, 176,215 quarters, or as much as in the four years which had preceded it.

These two last years exports had completely drained Poland; and, hence when I was there, before any of the new wheat had appeared at market, the price, for what little was wanted, had rather advanced. I was informed by more than one merchant, that if 10,000 quarters had been required, there was so little left in the country, that it could be collected with difficulty; and that the knowledge of such demand would cause the price to be doubled. In the mean time the stocks at Dantzic and Elbing had been accumulating, in spite of the comparatively small quantities which had been brought down the Vistula.

At the end of 1818, there only remained in store in those cities 92,279 quarters, [see Appendix, No. 13]. In the following seven years, up to August 1825, the quantities which paid duties at Thorn, were

	Quarters.
From Russia	366,648
—— Austria	17,343
—— Poland	621,119
	1,005,110
During the same seven years, the exports from the two ports, were	824,622
leaving....	180,488
To this is added the stock at the end of 1818, as above ..	92,279
	272,767

It appears, however, that the stocks really in store in the two places in August last, amounted to about 350,000 quarters, and therefore there must have been exported, or be in store, about 80,000 quarters of wheat, of the growth of Prussia, in the seven years under consideration.

Poland, and probably the Russian provinces, which once were parts of Poland, though drained of their whole stock of wheat, have not, in seven years, caused an accumulation at the exporting cities, of more than about one-tenth of what was shipped from them in the seven years, from 1800 to 1806. Those stocks are, however, higher than appears to have been left on hand at the end of the former years, and hence it may have arisen, that the prices have been reduced far below what it has cost the holders, though they have bought from the growers at rates to discourage the farther cultivation of wheat.

The abandonment of a losing business is most likely to begin at the fountain head, and the effect of that abandonment will be first experienced by a rise of price at the spot where the depreciated commodity is produced. This seems to be the case in Poland, and this may naturally account for the prices of corn at Cracow and Warsaw, being higher with the addition of freight and the other charges, than at Dantzic and Elbing.

It has been frequently remarked, that the exportation of corn from any country, if long continued, must tend to exhaust the soil, unless some articles, capable of becoming converted into manure, are introduced to compensate for the injury. Many parts of the north of Africa, and of Asia Minor, which formerly supplied large quantities of corn to Europe, have since become deserts. Perhaps one of the chief causes of the progress we have made in agriculture, and of the superior productiveness of our fields, has arisen from our exporting but few, and importing many of those articles which are capable, when decomposed, of becoming manure, and being applied to renovate the soil, as much or more as it is exhausted by cropping.

From Poland, for nearly two centuries, according to the Document in Appendix, No. 24, the exports of corn have been very large, whilst, on the other hand, nothing has been imported, deserving of notice, which could be converted into nutriment to the soil.

The system of rotation by which two crops of corn are raised in succession, and nothing is administered to refresh the land but a fallow, would exhaust the best soil with which we are acquainted.

In every part of my journey through Poland, the impression communicated, in looking at the fields, whether with growing crops, in stubble, or under the operations of the plough, was, that they were approaching to a state sf exhaustion from excessive cropping.

This view, which the rotation of crops, and the face of the country suggests, is confirmed by the statistical facts, which show that its power of supplying the wants of other countries is greatly diminished. The return of peace, after more than twenty years of extensive warfare, is commonly supposed to have increased the productions of the soil, and to be the cause of the depreciation of prices, which has been the general subject of complaint in every part of Europe. In Poland there has been no sensible increase of numbers, except within the last six years, when Germans, emigrant work people, to the number of 250,000, have established themselves in the different trades to which they have been accustomed in their native country.

On comparing the surplus quantity of bread corn which Poland has exported in a series of the same number of years, we shall see what has been the falling off.

In the eleven years [see Appendix, No. 15], beginning with 1795, and ending with 1805, the exports of wheat from the mouths of the Vistula, were 5,059,163 quarters, or 438,263 a year, on the average of the period. In the eleven years, beginning in 1815, and ending with 1825, the exports from the same ports were 1,669,027 quarters, or on the average of the period, 151,729 quarters per year. In the latter period indeed 78,265 barrels of flour were exported, supposing them to be all wheaten flour, it will increase the quantity 39,132 quarters, reckoning that two barrels are the produce of one quarter of wheat. In the first of these two series of years, the rye shipped at the same ports was 1,680,096 quarters; and that in the last series only 456,192 quarters.

The periods here contrasted were both seasons of general tranquillity, except that, during the first part of them, the opposition of Kosciusco and his partisans to the last dismemberment of Poland, caused partial and temporary disturbances; but they do not appear to have affected the quantity of its agricultural products.

It is true, that in the first series, there were in England two or three deficient harvests, and in the last series but one; the effect of that one was to raise prices so high as to induce the export of the whole that could be got away. Had there been more grown, it would have been eagerly exported; and we find at the end of the year 1818, the stock, both at Dantzic and Elbing, was only 96,900 quarters. Though we imported in the year 1818 from all parts of the world a greater quantity of wheat than in any former year, yet much less of that was shipped from the ports by which the corn conveyed down the Vistula is exported. The three years of our greatest importation, as appears by accounts laid before the House of Commons, have been 1802, 1810, and 1818; in the first of those, the exports from Dantzic and Elbing were 680,494 quarters. In the year 1810 [see Appendix, No. 15,] the French were in possession of the country, and the exports, all carried in a contraband way, were 267,277 quarters. In 1818, with high prices at Dantzic, viz. 64/11, the ports of England being open, the exports were 335,769 quarters.

If we calculate that the consumption of wheat in Great Britain is one quarter for each person for food, and about a seventh part more for seed and minor purposes, it will appear that in the first of the series we have been comparing, the quantity of wheat exported from Dantzic and Elbing would, with the then amount of our population, 11,000,000, be equal to twelve days consumption. In fact however, out of the 5,059,163 quarters of wheat, which Dantzic exported, 1,300,014 were dispatched to other countries. As we have only the gross exports from Elbing, without distinguishing what was sent to Great Britain, from what was sent elsewhere, it may not be incorrect to assume, that one-fourth as from Dantzic was not sent to our markets, and then there will be a further reduction of 299,205 quarters. This will leave the whole quantity really furnished to us in the eleven years 3,459,944 quarters, or an annual quantity of 314,540 quarters, being equal to about nine days of our consumption.

At the second series our population had advanced as numbered in 1821, the middle year of that series, to 14,000,000. The quantity of wheat sent to us from the Vistula had declined, and, during the eleven years, had been 1,252,271 quarters, or 113,842 annually. This would be equal to the whole of our consumption for betwixt two and three days.

In the Appendix, No. 24, is shown the whole export of corn from Dantzic, for the last 166 years. By those tables, it appears that the wheat exported from that city, during that long period, was 19,581,947 quarters, or 117,963 quarters on the annual average of the period. In fact, the whole that Dantzic has exported in 166 years is not equal to the consumption of this kingdom, with its present population, for more than fifteen or sixteen months. The annual importation would not now amount to two days and three quarters consumption.

It appears by the official account of the duties paid at Thorn, on wheat descending the Vistula [see Appendix No. 19], that a very large proportion comes out of territories now forming an immediate part of Russia, which once were, but no longer are, parts of Poland. I had communications with several proprietors of estates whose property is partly in one, and partly in the other country, and availed myself of all means within my reach to acquire a knowledge of the actual produce of grain in both.

The provinces from which the best, and most of the wheat is transmitted, are Volhynia and Podolia, which were seized by Russia, in the division of Poland in 1796, and are now distinct provincial governments, retaining their ancient names and usages.

Volhynia is represented to be a district of extraordinary fecundity. The pastures are said to be luxuriant, the grass growing so high as almost to hide the cattle, and yielding the richest nourishment to them. The corn is said to increase in common years ten-fold, in spite of bad agriculture; and a failure, or very deficient harvest, does not occur two or three times in a century.

On referring, however, to the official harvest returns of the Russian empire, as quoted in the Erdebeschreibung of Hassel, a German work of the highest authority, it will be seen that, in this province, the increase of grain in the year 1802 was very little more than four times the quantity sown.

The Russian tschewert, being reduced into English quarters, reckoning the tschewert at two-thirds of the quarter, the following result appears:—

	Quarters.
Sowed .... Winter Corn	322,456
Ditto .. Summer ditto	313,244
	635,700
Harvested .. Winter Corn	1,349,522
Ditto .... Summer ditto	1,277,310
	2,626,832
Used for Seed, for the next year .. Winter Corn	327,804
Summer ditto	316,996
	644,800
There consequently remained, of Winter Corn	1,021,718
Summer ditto	960,314
	1,982,032
Of which	1,431,566
were consumed within the province; and	550,466

were exported, or remained in the country at the next harvest. Of this surplus, some part must have been barley or oats; and, as the winter corn consists of six times as much rye as wheat, it is not probable that this district, very rich when compared with the other parts of the Russian dominions, could have furnished to commerce fifty thousand quarters of wheat in a year, when the exports from Dantzic were very great, and the prices of the year preceding had been in England very high. As the communication by water from this province is more easy to the Black than to the Baltic Sea, its surplus corn will more frequently be conveyed to Odessa than to Dantzic.

Podolia, like Volhynia, is represented as highly fertile; and, by the official accounts extracted from the statistical writer before quoted, appears to present, in the year referred to already, a greater rate of increase in the seed that has been sown, than Volhynia. Being to the south of Volhynia, it is still more easy of access to the Black Sea than that province, and further removed from commmunication with England through Dantzic. It however deserves to be remarked, that the navigation of the Bug and the Vistula is better than that of the Dniester, because the latter river has many shallows and rapids, and some dangerous falls. The passage of the surplus wheat will be hence determined on by the state of the markets at Dantzic and Odessa. The access to both those markets is so difficult, that only when a scarcity in some part of Europe raises the price to an unusual height, is any considerable quantity attempted to be transported

When the corn is cut it is left a long time in sheaves in the fields till it can be threshed, or rather trodden out with oxen and horses. When the separation from the straw and chaff is effected, the grain is preserved in excavations in the earth, till it is either called forth by high prices, or, which frequently happens, till it is destroyed by corn-worms, or other insects. It appears from the official accounts that in the year 1802, the following were the results of the cultivation of corn:

	Quarters.
Sowed .... Winter Corn	293,183
Ditto .. Summer ditto	351,620
	644,803
Harvested .... Winter Corn	1,640,271
Ditto ...... Summer ditto	1,427,575
	3,067,846

Used for Seed for the next year ..	Winter Corn	297,254
	Summer ditto	358,476
		655,730
There consequently remained	Summer Corn ..	1,343,017
	Winter ditto	1,069,099
		2,412,116
Of which........................		1,172,211

were consumed within the province, and .... 1,239,905 were either exported, or remained in the province till after the following harvest. The consumption here appears so much less than in Volhynia, that it can only be accounted for by the fact, that the culture of culinary vegetables, and the produce of the fruit trees, is far more abundant; and that the cattle are very much cheaper. The difference of more than two degrees of latitude may make some difference in the mode of living, as the warmer the climate, the less corn in general is consumed in brewing and distilling.

The only other province in Russia, which conveys its corn to market by the Vistula, is Byalystock. It was formerly a part of Poland, and the inhabitants still generally speak the language of that country. The chief corn raised for bread is rye, but a small portion of that grain, as well as of some very indifferent wheat, finds a passage by the river Bug into the Vistula. The best of the land is appropriated to the growth of flax, hemp and linseed, or to breeding of cattle. The whole surplus of wheat, which must be small, cannot be distinguished in the returns, from that stated generally to come from Russia.

There are two other of the Russian provinces whose surplus corn finds a vent through the territory of Prussia. The south-west part of Wilna, formerly Lithuania, has the navigable river Niemen for its boundary, by which the corn is conveyed to Memel. Its produce is but small in proportion to its population; and, by the official accounts, the increase appears to be less than in the other provinces. In 1802 the sowing and reaping is thus stated:—

	Quarters.
Sowed..Winter Corn	530,245
Ditto..Summer ditto	315,798
	846,043
Harvested..Winter Corn ..	2,099,324
Ditto..Summer ditto	1,220,466
	3,319,790

By this statement, it appears, that the increase of grain is somewhat less than four for one.

The province of Grodno, which also has access to the sea by the Niemen, appears to be so nearly equal in fertility to that of Wilna, that a return of the sowing and harvesting of the same year, give results differing only by a small fraction.

The terms of distinction, winter corn and summer corn, instead of Autumn and Spring corn, which we use, are descriptive of the climate. The violent heats and severe colds, succeed each other with so much rapidity, that they scarcely leave any interval for Spring or Autumn.

The only accounts I was able to procure of the quantities of corn brought by the Niemen, comprehends merely the three years 1816, 1817, and 1818. No others were to be found in the office of the minister for internal affairs at Berlin, and I did not go to Schmalleninken, where the transit duty is collected. The year 1816 was one of moderate production and demand, till after the state of the harvest was known, when it was too late in the season for the navigation of these northern rivers. The trade of that year may therefore be considered a fair average, and likely to produce annually 10,000 quarters of wheat, and about 40,000 quarters of other corn, chiefly rye. The two following years, when the exportation was excessive, produced but 38,700 quarters of wheat, and 276,000 quarters of other grain.

From some parts of the two provinces of Wilna and Grodno, the communication by the Duna to Riga is easier than by the Niemen to Memel; and it is hence probable that the largest share of their produce in corn, finds a market in that direction. It is shown by the returns from Riga [see Appendix, No. 8], that in the last twelve years, the exportation of wheat from that port has only been 256,658 quarters, or on the average of the period, 21,381 quarters annually; that of rye, has been 1,618,000, or on an average, 134,822 per year; and that of both kinds of grain, the exportation in the two years 1817 and 1818, exceeded that of the other ten years.

Although the route by which I returned from Poland was through countries which have no direct influence on the corn trade of England, yet as remotely connected with countries that do affect it, it may not be improper to add a few of the observations and facts which presented themselves as I passed through them.

The Austrian province of Moravia is very fertile, and, with the exception of some districts of the Netherlands, scarcely any part of the Continent is so well cultivated. It bears, too, a larger proportion of wheat than in other districts in the East of Europe. Of the winter corn, wheat is estimated at one-fourth, and rye three-fourths; whereas in the adjoining province of Silesia, the land sown with rye is nearly ten times that sown with wheat. Moravia is defended by the Carpathian mountains from the east winds; and the harvest, the whole way from Teschen to Olmutz, and indeed to Brunn, is nearly six weeks earlier than in Silesia. I certainly heard complaints of the distressed state of agriculture there, but less of it, and I think with less reason, than in any other part.

Wheat, at Olmutz, was selling for 20*s.* per quarter, whilst on one side at Cracow, it was selling for 14*s.* and on the other side, at Vienna, for 14*s.* 7*d.*

This better state of things arose from the circumstance of Moravian agriculture finding domestic consumers. It is the chief manufacturing province of the Austrian empire. A greater proportion of the population can afford to live on meat and to use wheaten flour; and hence the agriculturists find a market near home for their productions. The demand for animal food, too, being greater, a greater stock of cattle is kept, more of the land is destined to clover and other green crops; and I should judge from their flourishing apperance, that, like England, the growth of corn does not exhaust the land so much, as the stock of cattle, by their manure, renews its prolific qualities. The woollen, linen, and cotton manufactures are numerous, and, I was told, flourishing; and, as all manufactured goods from foreign countries are either excluded or charged with high duties in Austria, the demand of that extensive empire creates a vent for the native goods, though at the expense of the consumers, who perhaps in most, certainly in many, cases, might get better and cheaper goods. After passing through poorer districts, I was much impressed throughout Moravia, with the striking practical exemplification of the beneficial effects of manufactures on the prosperity of the agriculturists.

In Vienna I had opportunities of hearing much of the condition of the landed proprietors in Hungary. The want of vent for their surplus corn has so depressed the prices of that and other productions of the soil, that they are said to be losing by every article they raise, excepting wool; though, from farming their own lands, they have no rent to pay, yet the greatest difficulty is encountered in collecting the trifling taxes that are levied upon them.

Although so near to Moravia, the Carpathian mountains are too lofty and rugged to admit of conveyance thither. The mouths of the Danube are so infested with marauders, Wallachians, Besarabians, and Turks, that no safe export can be made to the Black Sea. In times of great scarcity in the maritime countries, some wheat may be conveyed to the port of Trieste; but it will be seen by the prices in the Appendix, No. 31, that it is too low at that market to afford a land carriage of four hundred miles. Though Presburgh is the chief market for the wheat of Hungary, yet, being but little more than twenty miles from Vienna, the price there cannot differ very much from that of the capital, for which see Appendix, No. 27. In some of the smaller towns in Austria, on the borders of Bavaria, where little wheat is consumed, I found the price of wheat and rye nearly the same. The harvest of the latter kind of grain was reported to be deficient, and had raised the price, whilst for the former there was little or no demand.

It will be seen by the returns of the prices of corn at Munich [see Appendix, No. 28], that the bread corn in Bavaria is not so much depressed as in Austria. This may be attributed to a law prohibiting the introduction of corn from the surrounding countries, from whence, chiefly from Bohemia, it had been the practice to import it. This prohibition had rested on an order from the king to the officers of the Customs at the different frontier stations; but at the last assembly of the states a formal law was passed, enforcing the former regulation, and enacting penalties on the breaches of it.

Notwithstanding the restrictions, I found on inquiry at the Board of Agriculture that the value of land had greatly declined. According to the statements given to me there, within the last eight years, the fall in the selling price of meadow land had been about thirty-five per cent, and that in the price of arable land full sixty per cent.

The complaints of the losses by farming were as heavy here as in the neighbouring countries where the prices are lower, and in which no laws to prohibit importation are in existence.

In the kingdom of Wirtemburg, wheat is so little an object of attention, from the small quantity which is consumed, that I was unable to obtain any other returns of the prices, than the imperfect list in the Appendix, No. 29, wherein, though the price of rye is regularly stated, that of wheat, for many periods, and at several markets, is wholly unnoticed. In the beautiful but narrow valley of the Neckar, the land is well cultivated; but, in other parts of the kingdom, the soil seemed to be poor, and the cultivation in a very backward state.

As I passed through France rather hastily, and spent but a few days in Paris, I had not opportunities of gaining minute information, as to the state of Agriculture. I was, however, satisfied, that, in spite of partial advances towards a better rotation of crops, the far greater part of the cultivation is still carried on upon the ancient and, in England, long exploded, system of a fallow followed by two crops of corn.

I was assured that, for several years past, every cultivator of grain has been selling at far less than it has cost him. Some of the best judges of the subject have calculated that wheat, in the four classes of districts formed of the departments for the purposes of regulating the importation and exportation of corn, costs to the grower on an average, from 20 to 22 francs the hectolitre, or from 6*s.* 4*d.* to 6*s.* 11*d.* the Winchester bushel.

How far this calculation may be correct, it would be presumption in me to assert. The corn laws of France are, however, founded on a supposition of this being the price necessary to secure a profit to the farmer. The kingdom is divided, for the purposes of the Corn-law, into four districts, each including departments in which the prices of grain are nearly alike. When wheat is below 18 francs the hectolitre, or 5*s.* 7½*d.* the bushel in the cheapest of those districts, 20 francs, or 6*s.* 4½*d.* in the next, 22 francs, or 7*s.* 0½*d.* in the next, and 24 francs, or 7*s.* 8*d.* in the highest, the importation of foreign wheat is prohibited. As the whole of the four districts form the regulating price, the average of wheat throughout the whole kingdom must rise to 6*s.* 8*d.* per bushel, before any foreign wheat can be introduced.

The laws which regulate the corn trade of France, were passed in 1819 and 1821, and the price of corn has not, since the end of the year 1818, ever risen so high as to effect the opening of their ports. Since that year the price has been fluctuating, but declining in the following ratio. [see Appendix, No. 30.]

Average of the whole of France.

	s.	*d.*
1820	5	3½
1821	4	11
1822	4	3½
1823	4	11
1824	4	6½
1825	4	3½

Your lordships have been pleased in my instructions, to direct me "to consider with reference to the provinces communicating with the Baltic sea by the Vistula, from the view I take of the country, what increase of cultivation would be likely to take place in consequence of such a stimulus being constantly in action, as would be applied, if an alteration were made in our laws, so as to leave our markets at all times accessible to the corn grown in Poland;" and further, I have been instructed, "that, as it may be necessary to assume some given price in this country, in forming such an estimate, it was thought desirable to proceed upon a supposition of an average price of wheat at home, of 60*s.* to 64*s.* per quarter."

This question involves so many considerations depending not only on the present condition of the country, but on the political regulations to which it may hereafter be subject, that any reasonings applied must be in a great measure hypothetical and speculative; and any conclusions we may arrive at, must be liable to be affected by changes which cannot now be contemplated, or taken into calculation.

The utmost that can be done is to approximate to a result, by a consideration of the principal circumstances on which it will depend, by reference to the fluctuations in past periods, and by an examination into the causes from which those fluctuations have proceeded.

In obedience to this direction, I presume, with the diffidence which must be always felt in anticipating the effects of untried, and consequently doubtful experiments, to state my views on the subject.

The effect of the stimulus here proposed must depend, in a great measure, on the assurance of its duration. The market for wheat which England presents, is the great object of attention to the cultivators in Poland, and to the merchants at the ports from whence its corn must be exported. Those persons have been accustomed to observe such frequent alterations in our laws relative to the corn trade, that any new enactments would, at first, be thought temporary and mutable, like those of former periods. This uncertainty has been the cause of heavy losses to them, and would therefore have the effect of causing the cultivators to pause before they made any great changes in their rotation of crops, or in the kinds of corn they would sow.

The statements which are given in the part of this report, more immediately relating to the kingdom of Poland, will show that the want of capital among the cultivators has proceeded to such an extent from the losses they have sustained, that they must, in a great degree, be disabled from making any considerable improvement in cultivation, or of raising any very large increase of produce in a short period. The great deficiency of live stock, which indeed may be resolved into a deficiency of capital, would be an impediment in the way of a rapid extension of the growth of wheat. Without manure wheat cannot be grown beneficially, and without a stock of cattle, in some degree commensurate to the extent of the land, manure cannot be obtained; and though to a certain degree the profit arising from the wool, and not from the meat, enables the landowners to support some few sheep, yet the want of a class of consumers who can afford to make animal food their subsistence, must operate to prevent any great increase in the stocks of cattle. Such a class is not to be expected there till a great improvement, or an increase of manufacturers, shall have taken place. The greater portion of the population of Poland is too poor to allow of their using animal food; the want of it is scarcely felt by persons always accustomed to live, with very little variation of diet, on rye bread.

The labouring classes too, being assured of a supply of the bare necessaries of life, are little disposed to any great changes in their mode of work, or any exertion of strength or skill beyond that to which they have been accustomed. They have been, perhaps, and not without some reason, always represented as indolent, unskilful, filthy, and drunken, and averse to the improvement which their wiser and better superiors have attempted to introduce.

Whilst the present low price of corn continues, and the corresponding low rate of wages, and the markets of Russia are open to the woollen cloths of Poland without duty, the profit of capital employed in that branch of industry must offer to it temptations that agriculture does not present. But if by any alterations the cloths of Poland should in the Russian Custom-houses be placed on the footing of the cloths of other countries, or if a rise of corn and of wages should take place to such an extent as to make the Polish cloths dearer than those which are charged with duty, the effects might be, to drive the capital from the cloth trade to the business of cultivation. The present want of capital may possibly be supplied by influx from other countries, but this must depend in a great measure on the internal government and political regulations of the country. The increase of manufactories in Poland, and the augmented population which they usually induce, might produce such a number of internal consumers as to leave much less surplus corn to export to other countries. It is true that wheat would be but little eaten by the manufacturers, but the increased demand for rye might make that kind of grain the most profitable to the grower, and he would then devote to the cultivation of it some portions of the land which, under different circumstances, would have been appropriated to the growth of wheat.

The manufacturers in Poland are however of too little importance, at present, to make it desirable to hazard any conjectures on what the effects of their increase or diminution would be on the surplus quantity of exportable grain.

A view of the past exportation from the Vistula, at different periods, and under different circumstances, will perhaps give some assistance in forming an idea of what may be the result of future changes.

It is worthy of remark, that in the long period of 166 years, of which the returns are given [see Appendix No. 24], there has been but little variation in the actual quantities of corn exported from Dantzic when taken by periods of twenty-five years. At the commencement it is seen, that the quantity of rye far exceeded that of wheat; that they gradually approached each other, till the produce of wheat exceeded that of rye, and constantly so up to the present time. The physical circumstances of the country are as they were during that long period. The course of the several streams that convey their supplies of corn into the Vistula has been without alteration; and the facilities of internal conveyance have been scarcely improved by any new or better roads. There is no ground to suppose that any material, certainly not any observable or recorded, increase of population has taken place, except the recent immigration of Germans.

The whole period of 166 years, returns of which, as extracted from the city records of Dantzic, are in the Appendix, No. 24, when divided into periods of about twenty-five years, exhibits the following annual exportation of wheat and rye from that port.

	WHEAT.	RYE.	TOTAL.
YEARS.	Quarters.	Quarters.	Quarters.
1651 to 1675	81,775	225,312	307,087
1676 to 1700	124,897	227,482	352,379
1701 to 1725	59,795	170,100	229,895
1726 to 1750	80,624	119,771	200,395
1751 to 1775	141,080	208,140	349,220
1776 to 1800	150,299	103,045	253,344
1801 to 1825	200,330	67,511	267,841

The average of the whole period gives an annual quantity of wheat and rye, of 279,794 quarters; and this surplus may be fairly considered as the nearest approach that can be made, with existing materials, to what is the usual excess of the production of bread corn, above the consumption of the inhabitants, when no extraordinary circumstances occur to excite or check cultivation.

In some of the early periods of this series, there have been great variations in the quantity exported, but not so considerable as within the last thirty-six years; we have, too, from 1791, the returns of exports from the rival ports of Dantzic and Elbing since that date, and thus, from both outlets of the Vistula, can trace the advance or decline of the surplus produce of corn, from the countries bordering on that stream.

Exports of wheat and rye from the cities of Dantzic and Elbing:—

YEARS.	WHEAT.	RYE.	TOTAL.
	Quarters.	Quarters.	Quarters.
1791	256,680	25,714	282,394
1792	224,492	259,402	488,894
1793	303,597	336,660	640,257
1794	269,545	180,757	450,302
1795	247,842	24,517	272,359
	1,302,156	827,050	2,129,206
Average of the five years ..	260,431	165,410	425,841

This considerable advance beyond former periods was the commencement of a still greater progress in the five next years.

YEARS.	WHEAT.	RYE.	TOTAL.
	Quarters.	Quarters.	Quarters.
1796	416,235	111,720	527,955
1797	348,705	177,796	526,501
1798	385,862	290.11	414,873
1799	342,940	164,660	503,600
1800	554,202	26,617	580,819
	2,047,944	505,804	2,553,748
Average of the five years ..	409,588	101,160	510,748

In the next five years the quantity still increasing reached its greatest height, and more corn was then exported than in the following twenty years.

YEARS.	WHEAT.	RYE.	TOTAL.
	Quarters.	Quarters.	Quarters.
1801	484,150	138,085	622,255
1802	663,222	345,820	1,009,042
1803	460,047	444,537	904,584
1804	544,267	134,400	678,667
1805	595,129	17,700	612,829
	2,746,815	1,080,542	3,827,357
Average of the five years ..	549,365	216,108	765,471

Of these 2,746,815 quarters of wheat, exported in the last-noted five years, 1,754,114 being a yearly quantity of 350,820 quarters was consigned to England, and the greater part of the remainder, to France.

The year 1806 was the unfortunate time when the war, first with England, and afterwards, or rather before, its close, with France, reduced Prussia to a low ebb, and for several years put a stop to the corn trade from the Vistula.

The state of the exportation for the last five years, forms a striking contrast with the corresponding term in the periods here seen.

Export from Dantzic and Elbing.

YEARS.	WHEAT.	RYE.	TOTAL.
1821 ……	126,136	16,128	142,264
1822 ……	44,352	111	44,463
1823 ……	68,450	74,370	132,820
1824 ……	59,996	5,943	65,939
1825 ……	118,681	15,414	134,095
	417,615	111,966	519,581
Average of the five years ..	83,523	22,933	101,916

The circumstances which produced that great exportation of corn, from 1801 to 1805, are of much importance in the consideration of the prospects of future exportations; and the causes by which, in the space of the previous years, they were enabled to attain to that height, deserve to be traced.

Under the act 31 Geo. 3. cap. 30 (1791), the ports of England had been constantly open, for ten years, for the importation of wheat. If the average price of wheat was below *50s.* the quarter, it was charged with a duty of *24s. 3d.*; if above *50s.* and below *54s.* a duty of *2s. 6d.*; and if above *54s.* with a duty of only *6d.* From the year 1791, when that act was passed, the price of wheat, with the exception of a short period in 1798, was constantly above *54s.*; and what was imported was therefore charged with only the duty of *6d.* per quarter. During two of the ten years, wheat in England had been above *80s.* per quarter, and in the last of them rose as high as *127s.*

Our laws at that time laid restraints on the import of corn from Ireland, and that part of the empire had not made the progress it has since done in the cultivation of corn.

The ports of England were not merely open during this term, but by the act of 36 Geo. 3. c. 21, large premiums were given on corn imported, to secure the importers, whether in British or in neutral vessels, certain prices, till 500,000 quarters should have been imported, after which the premiums were to be reduced. This act passed in 1796 for a year, was continued by another act in 1797; and, with different intermediate modifications, premiums to indemnify the importers of corn and flour were established till 1801.

During the ten years, from 1791, to 1801, there was a constant demand in France for foreign corn; several deficient harvests had been experienced at the beginning of the revolution. The agents of France were employed both in Europe and America, in purchasing corn and hiring neutral vessels to convey it to France; paying but little regard to the price they gave for it, or to the rate of freight at which it could be transported. Holland, which scarcely has ever grown corn sufficient for its own consumption, felt a great want, owing to its internal sources of supply from Germany and Flanders, being diverted from the usual channels, by the circumstances of the war.

Sweden for many years had looked for some supply from Prussia, not, indeed, of wheat to any extent, but chiefly of Rye. During the period we are now considering, that country had been afflicted with several successive deficient harvests; and such was the distress from want of corn, that a large part of the population had been compelled to use the bark of trees as a substitute for rye. That kingdom thus became a market which could take as much as her poverty could find the means of paying for. In addition to these external circumstances, the land in Poland was less burthened with taxes than it is at present. The tenth Groschen war-tax was not then enacted. Some other taxes then imposed have not been since abandoned. In Prussia, likewise, taxation is higher now than from 1801 to 1805.

These combined circumstances gave to the agriculture of Poland and Prussia, a portion of capital and motives to exertion, which produced the vast surplus that was exported from 1801 to 1805. Ten years of unexampled prosperity were, however, needed, to reach the point which those years exhibit, and it was only by gradual steps that it was attained.

The impulse given by the open markets, and by the high prices which had opened them, acted with accumulated force in the next five years, and raised the surplus, as we have seen, somewhat higher.

If the same powerful stimulus could now be applied to excite the cultivators, in Poland and in Prussia, to increase their supplies of corn, as were experienced from 1791 to 1801, it would be reasonable to conclude, that the result might be the same as is exhibited in the quantities of wheat exported from 1801 to 1805. It might produce, with ten years increased exertion, and with the application of the capital created in those ten years of prosperity, a quantity equal to that which was exported in the years of the greatest surplus. I was told, when in Poland, that during those prosperous years, wheat was brought by land-carriage to the Vistula, from distances far too great to bear the expenses without the enormous prices which it bore in the markets of England and France. It was sent, not only from the furthest parts of Gallicia, but even from the vicinity of Brunn and Olmutz, in Moravia. It was said, that some of the wheat of Hungary was conveyed over the Carpathian mountains to Cracow, and there shipped in flats for Dantzic and Elbing, whilst Volhynia and Podolia were emptied of their stores.

Whether these reports are true, or to what extent they are true, it is natural to suppose that the very high price which wheat had reached in the years under consideration must have vastly extended the limits of the circle from which it would be collected, and would induce the inhabitants to despatch to the high markets whatever could be spared by the exercise of the most rigid economy.

By the constant application of all these powerful stimuli, which were in operation during ten years, we have seen that at length the surplus of wheat, which the Vistula and its borders, extended to unusual dimensions, could yield, amounted to 550,000 quarters annually, or about sufficient, supposing the whole to be sent here for the consumption of this kingdom, with its present population, during the space of twelve days.

It is scarcely to be calculated, that the same occurrences of circumstances, propitious to the agricultural prosperity of the lands on the border of the Vistula, should again present themselves. Neither the demands of France nor England are likely to be so great, or to continue for so long a period, as at that time. It is scarcely to be calculated upon, that any future wars will be so long in duration, or spread over so extensive a field of operations, as those which rose out of the revolution of France; and it is therefore not likely that the quantity exported will ever rise to so great an amount. Whatever stimulus may be applied to excite the agricultural improvement of the banks of the Vistula, its effect must be weak and powerless, when compared with the excitement it received, from 1791, to 1805.

If we suppose the cost of wheat to the grower in the vicinity of Warsaw, to be about 28*s.* per quarter, and all the expenses of conveyance to our markets, to be 20*s.* more, and that it could be sold here for 60*s.* or 64*s.* we may presume that such a stimulus would produce great exertions, and a correspondent increase of supply; some abatement in the force of that stimulus would be probably felt in an increase of freight, and other charges, but the prospect of a profit of 12*s.* or 14*s.* would give a powerful impulse to cultivation. What is here stated is upon the supposition, of course a mere supposition, that no duty would be imposed on foreign wheat, on its introduction into this kingdom. Supposing a duty should be imposed, it will, of course, weaken the force of the stimulus; and if it should be so high, as, when added to the costs and charges, to raise it above the price at which it could be sold in our markets, it would become a repellant instead of a stimulus, especially if it should be viewed as a permanent enactment.

If a duty in this country of 10*s.* or 12*s.* per quarter was imposed, it would not allow of such a profit, on the supposition of the price being from 60*s.* to 64*s.* as to induce any great exertions to increase cultivation in the bordering districts on the Vistula. The chance of a rise occasioned by war, by a winter so severe as to injure vegetation, or by a rainy harvest season, might induce those of a speculative turn, to increase their growth of wheat; but those who have that turn, and have the means of indulging it, are so few, that they would produce no sensible increase in the general surplus.

I see no reason to believe, that with such a duty as I have mentioned for England, and a price from 60*s.* to 64*s.* and with some similar regulation in France, that the surplus corn produced in Poland, including all the countries near enough to the Vistula, to send their corn to that stream, would materially increase in common seasons, or very much, if at all, exceed the average produce of that country; the greater part of this might probably be wheat, and if the duty were alike on all the various qualities of that grain, none would be sent here but that part which is the driest, heaviest and whitest. The inferior descriptions would not pay for importation, unless the average in England was much more than 64*s*.

William Jacob.

Corn-Returns Office,
21st February, 1826.

Petition of West-India Merchants for Protection of their Property.] Mr. *Baring* presented a petition from the Merchants of London trading to the West Indies, Mortgagees, and others, having claims upon West-India Estates, praying the interference of the House to give them some further protection for their property, or else compensation. He bespoke the earnest attention of the House to the complaints and representations of this respectable body of petitioners upon a subject of very considerable importance to the ultimate welfare of the empire. He could not but think this appeal to their consideration somewhat superfluous when he reflected that the petition which he was introducing to their notice was a claim of right upon the protection of the British parliament, in behalf of a species of property which was formerly reckoned, however now reduced below that standard, among the most sure and valuable in the possession of British subjects. And, that property in these colonies was no longer regarded with the same feeling of confidence as to its stability, it did not need this petition to tell them. The fact had long since established itself in the minds of those whose attention had been called to the subject. It had become matter of notoriety, and, at length, had reached that alarming point at which it was deemed necessary for the preservation of individual property, to call in aid the specific interference of parliament. He professed himself to be an anxious friend to the emancipation of the negroes from slavery; but it did not therefore follow that he was a disciple of the sect called the Abolitionists; or that he would league himself in any of the rash schemes proposed for the precipitation of that measure. If done at all, it could only be done, with safety and justice, by gradual approaches, by moderate and well-digested measures, preparatory in their nature, and carried into execution under the guiding hand of wisdom and discretion. In no other way could this most desirable end be attained. Valuable property, however, was tampered with by those who sought, by exaggeration, to excite the feelings and mislead the minds of the people of this country. It was not to be wondered at that the West-India planters and proprietors acted under the undue influence of heat. The proprietors in those colonies could not but feel alarmed at what they saw going on in this country. They could not refrain from feeling indignant at the unfounded aspersions cast upon them by the overheated advocates of emancipation in England; and when they considered that it was by the representation of those individuals that public opinion in this country was guided, and at their instigation that the government was induced to act, what else but alarm for the security of their property could they feel? If the planters and proprietors in the West-India colonies could be made to believe that the House would not go further in their plans of amelioration than was proposed by the instructions of his majesty's government, he was convinced they would make no resistance to those plans. But, seeing the exaggerated statements, the highly-coloured pictures, and the personal aspersions on themselves, their conduct, and designs, put forth on this occasion, it was not strange they should conceive these to be the work of their enemies, and that there was an ulterior intention of carrying the case far beyond the views at present promulgated.

Mr. *W. Smith* said, he rose merely to repel the insinuations of the hon. member, against the abolitionists, and to deny every word and every assertion to their prejudice uttered by the hon. gentleman, or contained in the petition on the table. He thought he could not better illustrate the question at issue between himself and the hon. member, than by reading a few lines from a petition which was presented to that House on Friday last, from the Board of Council and House of Assembly of the island of Antigua, which set forth, "That, year after year the memorialists have represented the distressed situation of that colony, produced by the continuation of the war-duties on their staple commodities, during a period of twelve years' peace, in utter disregard of the pledge given at the time of the augmentation of those duties by the ministers of the day, that such duties should cease on the return of peace and tranquillity; that, although no notice has been hitherto taken of the just claims of the memorialists to relief, they trusted the time would yet arrive when they should be allowed to participate in the prosperity enjoyed by all other classes of his majesty's empire; but so far from such expectations having been realized, the memorialists find that accumulated burthens, and measures tending still further to their oppression and ruin, have lately taken place; the sense of these grievances, however, is lost in the astonishment with which the memorialists view the malignant feelings excited against them by certain dangerous demagogues and interested persons, acting, to suit their own immediate purposes, in coalition with the canting pretenders of the day to religion, who, not content with usurping the rights of the established church, seek also to invade the private property of his majesty's loyal West-Indian subjects, many of whose ancestors sought in those climates formerly, a refuge from puritanical persecution, and, having lost their all, supporting the royal cause against the disciples of hypocrisy, in the time of the unfortunate Charles, were content to seek an asylum under the Tropics, and to leave their hard-earned acquisitions as a poor equivalent to their children; this inheritance, guaranteed by the imperial parliament for more than one hundred and fifty years, the memorialists now see placed in jeopardy; they are weary of refuting the never-ending calumnies propagated by designing individuals against them, fully convinced, that the ultimate object in view is, not the welfare of the negro, but to tamper with his feelings, to rouse him to the destruction of the colonist." In reply to the language of that petition, he would only say, that he had concurred in almost every measure which his majesty's ministers had taken with respect to the slave-population of our colonies; and, whether for those measures ministers deserved the character given of them by the Antigua petitioners or not, he was content to share in the obloquy attached to them by those petitioners. But he had a still better answer to what he had just read. He could show, from evidence taken before a committee, respecting the state of the slaves in the island of Antigua, that formerly there were very few christian slaves in the island, and that their condition was very ignorant and barbarous; but that now the number of christian slaves had considerably increased, chiefly by the exertions of the Moravian missionaries; that the character of the slaves had improved; that they were much better treated, and that they deserved it; that they went to the Methodist meetings on Sundays, and conducted themselves well, but that the regular clergy were not known to have paid any particular attention to the subject. This was one instance, at least, to show how ill deserved had been that species of abuse which had been heaped upon those who endeavoured to procure an amelioration of the condition of the slaves.

Mr. *Warre* said, that although he was an advocate for the amelioration of slavery, and although he admitted that much had been effected towards the attainment of that measure, he thought that the conduct pursued by persons in this country who professed themselves to be the advocates of emancipation, had retarded rather than promoted the great cause which they had espoused. Many members of the House, and more particularly those gentlemen who were interested in the West-India question, had most likely read a pamphlet, written by a master in Chancery, who once had been a member of the House. Whatever might be the opinion of hon. gentlemen of that work, he could not but think that it contained passages of a highly inflammatory and injurious nature. Mr. Stephen had dragged into the discussion persons and circumstances that had better have been omitted. What necessity, for instance, was there for the introduction of a passage like this: "You are zealous in the cause of the oppressed Greeks, and the feeling does you honour. You reprobate strongly the illiberal despotism that presses down its yoke on the necks of the unfortunate Spaniards; and it is a right and generous indignation. Can you then be insensible to the far more intolerable wrongs, to the far more goading oppression, which the poor Africans suffer under your own dominion? The Greeks have not yet been driven by the cart whip; and many a tyrant, more illiberal and ungrateful than Ferdinand, are maintained by British bayonets, as he by French ones, on the petty thrones of the plantations." He again contended that such exaggerated and illiberal language as this had a direct tendency to retard the march of genuine improvement. He was no enemy to the cause of negro improvement, when temperately and properly conducted; but he felt deeply the difficulties of the question; and whatever evils belonged or had belonged to the slave system, it ought to be remembered that that system had not originated solely with the slave proprietors, but had grown up, not only under the protection, but under the encouragement and control of Great Britain. He had always voted, and was willing to vote again, for every thing practicable in the shape of amelioration; but he could not but deprecate such language as that which he had quoted. It did appear to him, that the West-India planters had cause to complain of the manner in which they were spoken of by those who supported the question. They had been assailed by invective instead of argument; and aspersions the most unjust and unhandsome had been used against them.

Dr. *Lushington* said, he was sorry that on the mere presentation of a petition on this subject, he could not feel himself at liberty to remain silent; but he must say something respecting the observations of the hon. member for Taunton. The hon. member had said, that there had been great exaggerations on both sides. Now, he would be glad to know who they were that thus exaggerated, and to whom the blame chiefly belonged. He maintained, that if there had been any, it was very little indeed, on the side of those who were anxious to ameliorate the condition of the negroes. Every document from the colonies showed that their statements had not been exaggerated; and he invited the hon. member for Rochester, who said "hear, hear!" to read those statements, and then to prove, if he could, that the charges of the degradation and oppression of the negroes by West-India planters were unfounded. Every charge made by the abolitionists would be borne out by these documents. Out of a pamphlet of a hundred pages, written by a distinguished individual, the hon. member who spoke last had quoted one short passage, which he considered as intemperate and exaggerated; but the hon. member had made no allowance for the very great provocation which that distinguished person had received from the zealous endeavours of the slavery partizans to hold him up to public indignation. It ought to be recollected, that the very able pamphlet in question had been written by a gentleman of high character, and great personal information on the subject. Whoever read that pamphlet, would find that it was the work of one who had great personal knowledge of the subject, as well as a work of the greatest ability that had ever appeared on the subject. He would not then enter into the general merits of the question; but he could not help raising his voice, even on that occasion, against any general charge of exaggeration on the part of those who advocated the cause of amelioration. The documents from the colonies themselves proved that the exaggeration, if any, had been extremely little indeed.

Mr. *Bernal* said, he could not but feel that the pamphlet contained many exaggerations, although he was not prepared at present to point them out. There was one mis-statement in that work, however, to which he should now refer, for the purpose of supporting his assertion. He alluded to the branding of slaves. During the time that the slave trade was in existence, and slaves were imported in a state of the grossest barbarism, the practice had been resorted to, and was generally prevalent; but, as the black population became a creole or native population, it was abandoned, and any one who should now attempt any thing of the kind, would be stigmatised and scouted by the planters. He did not mean to say that those who had been convicted in courts of justice might not be so branded; but the practice, as applicable to the creole population, under any other circumstances, had no existence whatever. He had heard it, however, repeatedly asserted, and within those walls, as well as in a variety of pamphlets, that it did exist, and the proprietors were stigmatised in consequence, as barbarous and inhuman monsters. He would also ask the hon. member whether, when the Legislative Assembly of Jamaica passed an act, to exempt slaves from working on Saturdays, it was not an exaggeration to say, that the act had been passed as much for the benefit of the masters as of the slaves? He challenged any hon. member to say, that it was for the benefit of the masters. If the hon. member would meet him fairly, and bring forward specific cases, he would pledge himself to convince him, that there had been gross exaggerations, and in channels where it was difficult to contradict them. It was easy, when the main party resided at a distance of four thousand miles, to bring forward accusations against him. It was not so easy to find the means of gainsaying those accusations, and this was a consideration which ought to weigh with the House, whenever any of those extraordinary statements were put forth, by which the public mind had been so violently and so unjustly agitated.

An hon. member, whose name we could not learn, observed, that all he wished to know upon the subject, was really required of the West-India planters. It was easy to deal in general declamation and undefined charges, but he would give no support to the petition, or to any resolution which might be brought forward, unless it defined the concessions which were required.

Mr. *Manning* said, it was impossible to refute such general charges as those which were always brought forward in discussions on this subject. He had read the pamphlet which had been alluded to, and entertained the highest respect for its author, but he could not justify the language which was used in some parts of it. He would appeal to the under Secretary of State for the colonies, whether the petitioners stated the truth or not, when they asserted that there were 800,000 slaves in a state of degradation and misery. He knew, from personal experience, that there was gross exaggeration in the pictures which had been drawn of the state of the slave-population in the West Indies. Abuse was not the way to promote improvement, but, on the contrary, to obstruct it.

Mr. *Sykes* said, that, on which ever side the alleged exaggerations might have preponderated, he held a paper in his hand which showed how far the zeal of the hon. member for Rochester would carry him. The hon. member had asserted, that it was not the general practice of the Jamaica planters to brand their negroes. Now he had happened to look at the Jamaica Gazette, and he found from that paper that it was still as common a practice to brand the negroes of the soil, or the freehold negroes, as to brand any others. There were freehold negroes, of the names of Bullock and Cæsar, stated to have been so branded on the shoulders and other places; and in the whole it appeared, out of a list of three or four columns, that twenty freehold negroes had been branded in the same manner. This was, therefore, an unfortunate instance, to prove that the Abolitionists had been guilty of exaggeration. One word as to Mr. Stephen. It was certainly not fair to read a single passage of a long pamphlet, as a proof of general exaggeration on the part of those who promoted the amelioration of the slaves, when the writer of that pamphlet was not present to defend his language. He was not sorry, however, that the pamphlet had been mentioned, as it might have the effect of calling attention to its contents; for it certainly appeared to him the ablest pamphlet that had ever been written on the subject.

Mr. *Canning* said, he did not think it fair to call upon persons in official situations to answer questions put by members on the presentation of petitions, as had been done by the hon. gentleman behind him. He, therefore, thought that he was doing the House a favour when he intreated his hon. friend (Mr. Horton) not to answer such questions.

Mr. *Thomas Wilson* did not think, that the planters ought to suffer unfounded statements against them to pass uncontradicted. It was due to them to repel such statements when made. A learned friend of his had denied that any exaggeration had been used by those who supported the question of amelioration. Now, a petition from London, signed by 70,000 persons, had been presented in favour of amelioration. And how had that petition been got up? The representation of a negro in chains had been exhibited all over London, and by means of this exhibition, which had a tendency to create the most unfavourable impression against the planters, a great part of these signatures had, no doubt, been obtained. In truth many of the petitions had been got up in a manner disgraceful to the cause. The Anti-slavery Society had sent round the country printed forms of petitions, and used many other unfair means to promote their object; and, if any thing could be more unfair than another, it was the holding out to the people, that the ministers expected their petitions, in order to enable them to carry their purposes into effect. He trusted ministers would know their duty better than to pay any regard to popular clamour; and that they would proceed upon a sound, temperate, and deliberate view of what the real interests of the country demanded. Another point in some of these petitions deserved notice. They spoke of a protecting duty on West-India sugar, which the petitioners seemed to wish done away with, and so to put an end to slavery. But we had done much more for the amelioration of the slaves than had been done by the Brazilians, some of the

Spanish, and other colonies; and, if the protecting duties on West-India sugars were to be repealed, the effect would be, to ruin the British colonies, to make sugars dearer, and to establish a system of slavery ten times more grievous than ours! He trusted, ministers would not act upon these wild views. Some of the petitioners stated, that they did not wish to injure private property, and offered indemnity; but indemnity was of two kinds; first, indemnity when the thing should be done; and indemnity accompanied by a previous inquiry. The inquiry ought to take place first. The St. Domingo negroes did not produce nearly so much sugar, nor so good, as the sugar produced by the negroes in our colonies.

Mr. *Evans* said, that if the hon. gentleman would take the trouble of looking at the petition, he would find that it did not pray for the introduction of sugar by free labour, and not by slave labour, to the prejudice of the West-India manufacturers. He confessed, however, that he did not think it fair that sugar made by free labour should be subject to a higher duty than that which was produced by the labour of slaves.

Mr. *W. Smith* entreated the attention of his hon. friend, the member for Rochester, for whom he had the greatest respect, while he undertook to convince him that gentlemen of his description on this side of the water were ignorant of what was passing on the other side. His hon. friend had stated, that branding negroes was a practice now never heard of in the West Indies. Now, he held in his hand the supplement to the Royal Gazette of Jamaica, published on the 16th of February, 1826, in which was an account of the apprehended deserters then in the Clarendon workhouse. The first mentioned was Dick, a creole negro, marked with the letter H. The next was named Richard Smith, also a creole negro, five feet four inches high, and marked with the letters W. S. and a diamond above them. The hon. gentleman read several other instances of the same kind in St. Mary's Workhouse. One half of the deserters, he added, were creole negroes, and they were all marked. For his part, he solemnly declared, that if he lived in Jamaica, he would rather run the risk of never getting his creoles again, than offend the eyes and the ears of the British people by inflicting so inhuman and degrading a stigma. The slaves thus treated must be creoles, as it was 19 years since an African negro had been imported into Jamaica.

Mr. *Bernal* said, it should be borne in mind that there were upwards of 300,000 slaves in the island of Jamaica. His hon. friend, in his zeal against slavery, had taken up a copy of the Jamaica Gazette, and finding that some deserters were there stated to be marked, he concluded that all the negroes were branded. What he had stated was, that branding was a practice generally going into disuse. The negroes who had taken refuge in the workhouse were, it was to be presumed, notorious runaways, and that disposition rendered it necessary to mark them. They, however, bore but a small proportion to the whole negro population. He was a decided enemy to the practice himself, even with regard to runaways, and he was satisfied that it was by no means general.

Mr. *C. R. Ellis* said, that the practice of branding, where it was unnecessarily applied, was not only regarded as cruel, but condemned as illegal. He knew an instance in which the owner of a slave had been prosecuted for this offence, under an act of the colonial legislature. If any doubt existed as to the fact, he pledged himself to produce the case.

Ordered to be printed.

ALIENS REGISTRATION BILL.] Mr. Secretary *Peel*, on rising pursuant to notice, to introduce a bill for the Registration of Aliens, observed, that when the Alien Act was last under discussion in 1824, a hope was expressed by his right hon. friend the Secretary for Foreign Affairs, and by himself, that at the period to which the duration of that act was limitted, it might be possible to dispense with the powers of compelling aliens to leave the country, given by that measure to the executive government. The period had now arrived when those powers would cease, unless by the intervention of the House they were prolonged; as the act of 1824 would expire in November next. He was extremely happy to have it now in his power to fulfil the expectation which he had just alluded to, and to inform the House, that it was not the intention of his majesty's government to call for the prolongation of this law. In proposing the Registration bill on the present occasion, it was merely wished that the government should have that to which he thought there could be no possible objection; namely, a Registration of the names of such aliens as thought proper to take up their residence in this country. He did not mean to propose any further measure as affecting aliens, nor to take any steps whatever for compelling them to leave this country, under any other circumstances than those which would be operative upon the natural-born subjects of his majesty. He could sincerely assure the House that no man could be more willing to part than he was with the authority which this bill had officially intrusted to his execution; and, in relieving himself from such a burthen, he had the satisfaction to reflect that, during the five years in which he had exercised it, not a single instance of abuse had been laid to his charge. It was true, that the mere circumstance of an abuse of the power would not have been conclusive against the propriety of the measure itself; but it still would have naturally enough indisposed the House to afford a too great facility for its re-enactment. He repeated, however, that he had the satisfaction of knowing that no abuse of the provisions of this act had been imputed to him, and, indeed, he had only in a single instance applied them. It was also due to his predecessor to state, that he had only resorted to the measure five or six times, so that altogether its extraordinay powers had been but rarely brought into operation. The single case in which he had been under the necessity of applying it was not at all of a political character. It was where an individual had threatened to resort to personal violence against a foreign ambassador, in such a manner as to induce a rationally-grounded expectation that he would, if left unrestrained, have carried his threat into execution; and he really believed that it afterwards proved of great advantage to the individual himself, that it was not left in his power to offer the violence he had premeditated against a high public functionary, who was undoubtedly entitled to all the protection which the laws furnished, while he resided officially in this country. From what he had stated, the House would see, that not only had no abuse been committed through the means of this bill, but that in this single instance, and one quite unconnected with politics, had it been used at all. And he could further state, that he had taken the utmost pains to prevent any use from being made of this measure against foreigners, by any of the subordinate agents who were placed under his control. The act which he meant, on the present occasion, to propose in the place of the Alien act, was intended not as a temporary, but a permanent law; and it merely required that every alien should upon his landing in England, under a certain penalty for omission, be compelled to give a true designation of his name and place of intended residence in this country, and that the Secretary of State should also have the power of requiring a renewal of this registration of names, at certain intervals, while the same parties remained in England. He certainly should not consent to part with this power, if he had not observed the conduct of the aliens who were exposed to the operation of the act, and of them he could say, that he had not the smallest idea that they would abuse the new privileges (for such they might be called) which were about to be conferred upon them. Many of the foreigners who were now in this country had been compelled to seek its shores, in consequence of the intestine troubles and dissensions which unfortunately raged in their native land. They had here, he was glad to say, found an asylum, and received the generous and humane sympathy and assistance of all parties. It would, therefore, be a bad return for British generosity, were they to make this land, where, under their misfortunes, they had sought and found a resting place, the scene of cabals or conspiracies against their own governments, while Great Britain was in alliance with them. If, however, (which he had no reason to anticipate) these foreigners should hereafter by their conduct defeat his sanguine expectations, then he should feel no hesitation in calling upon parliament for a renewal of the Alien bill. He did, however, hope that such a step would be unnecessary, and it was therefore with the greater cheerfulness he consented to relinquish a power, which he had the consolation of feeling had passed through his hands without abuse. The right hon. gentleman concluded by moving, for leave to bring in a bill to provide for the Registration of Aliens.

Lord *Althorp* congratulated the right hon. gentleman on the liberal course which he had just taken, and expressed his perfect confidence that no inconvenience whatever would arise from the expiration of the Alien bill, but that, on the contrary, the relaxation of such a system of uncongenial policy would operate beneficially for the country.

Mr. *Hobhouse* begged to express his entire concurrence in the opinion which had just been delivered by his noble friend. He was quite sure that the proposal of the right hon. gentleman would be hailed with gratitude, not only by those in that House, who were, upon constitutional grounds, the opponents of the Alien bill, but by the friends of just and liberal principles in every quarter of Europe. Indeed, he believed the government were hardly aware of the extent of benefit they were conferring by the abandonment of this measure. The Alien bill, whether in actual or threatened operation, was always reckoned by enlightened foreigners as one of those measures by which England had suffered herself to become connected with the arbitrary system of the continent. He could assure the right hon. gentleman that every intelligent traveller was impressed with the prevalence of this belief. The abandonment, therefore, of a system so abhorrent to the principles of the British constitution would be hailed all over Europe as the principal step—(in conjunction with those other liberal measures which had been lately taken by the Secretary for Foreign Affairs)—on the part of Great Britain to a return to that policy which had so long made her, through a bright succession of years of triumph, also the protectress of the oppressed, and the great patroness of public liberty all over the world. He was quite confident that his majesty's government would have no reason to repent the confidence they were disposed to place in the foreigners who had sought an asylum in this country, and that they would find themselves quite safe in reverting to the old policy and laws under which England had so long flourished. Before he sat down, he must say, that he could hardly find adequate terms in which to express his gratitude to the right hon. gentleman for the course he was about to pursue on the present occasion.

Sir *R. Wilson* did not rise to detain the House while he paid a tribute of justice to the right hon. gentleman. But it was due from him to say, that not only had the powers of this bill not been abused during the administration of the right hon. gentleman, but he could, from his own personal communications, bear testimony, that he had, upon various opportunities, found him most anxious to do justice to the claims of foreigners, and correct most rigidly any tendency to abuse on the part of the subordinate agents, who had to execute some of the provisions of this bill. He had always found the right hon. gentleman most desirous of respecting the rights and interests of these proscribed individuals. There was one point which he wished to notice respecting the proposed registration of the names, a measure to which he had in itself no objection; in times of political troubles abroad, when individuals were more likely to seek shelter here, they were often compelled to use wrong names, to escape the vigilance of their persecutors. He trusted that no delay would, on that account, be interposed with regard to their passage into the interior.

Mr. *Peel* said, that the difficulty might be obviated by the alien telling the officer, confidentially, what his name really was. The regulation he considered necessary as it might be desirable, on some occasions, to know the number of aliens in the country, and the particular points to which they were resorting.

Mr. *Denman* entirely concurred in the praise which had been bestowed upon the right hon. gentleman on the present occasion. He was glad of the abandonment of this measure, for he knew that it was a modern innovation of only thirty three years standing, and that it was a most unnecessary measure; for this country had, through all previous times, maintained her policy towards strangers without the infliction of such oppression. Still he was glad of the change, and congratulated the House upon the termination which it would put to a system in itself unjust and oppressive, and which no existing circumstances could make longer necessary.

Leave was given to bring in the bill.

SLAVE POPULATION IN DEMERARA AND BERBICE.] Mr. *William Smith*, in rising to make his promised motion, respecting the treatment of Slaves in the colonies of Demerara and Berbice, observed, that the subject was so interesting, important, and fertile in difficulties, as well as in the many considerations it involved, that he deemed it better to treat it by piecemeal, than bring the whole bearings of the question at once before the House. The angry discussions which took place on the subject were caused by the claim set up on the part of the planters, to a property in the body of man. They all contended that they had an equal right to their slaves as to their other property. This pretence was the root of all the evil, and the source of the mischief, and demoralization, which it became the duty of the House to remedy. That a man might have a right to a certain extent of the labour of another he was free to admit; but when he proceeded to make an absolute claim, such as that set up by the planters, he confounded all the dictates of common sense, and advanced principles as repugnant to justice as to common humanity. What! would it be contended that a man had an equal right to his horse as to his chair? or could it be supposed, that he might chop off the leg of the one as capriciously, and with the same impunity, as that of the other? Indeed, so far had this doctrine been carried, even in this country, that a few years ago, if you remonstrated with a brute, whilst he was abusing his superior brute in the streets, his answer would be, "Is not the animal mine? He is mine, and I will abuse him as long as it is my pleasure." Every man of common humanity must have revolted at the feeling which such an expression conveyed; and he protested that, when a similar right was claimed by the slave-proprietors of Demerara, it struck him with horror —a feeling which he entertained in common with others who could not be suspected of prejudice; for it appeared from a despatch of governor Elliot's, that the Attorney-general of the colony over which he presided, expressly said, that he was shocked to hear a lawyer declare, at the trial of a slave, "that there was no more harm in killing a negro than a dog." He was free to admit that a great change of opinion had taken place on this question, owing principally to the discussions in that House, since the subject was first brought under its consideration in 1787. The colonies of Demerara and Berbice were now selected, and the motion made respecting the slave-population of those colonies, because they had both signalized themselves by their resistance to the recommendation of government, although the proprietors in those Islands had, in fact, less semblance of reason for complaint than any other, inasmuch as they had not embarked their capital in slave property until within a few years before the slave trade was abolished, and not until long after the discussions in parliament ought to have led them to expect such a consummation. If, therefore, they chose to vest their money in Dutch colonies, which, at the time, were likely to be subjected to the dominion of this country, they certainly could now have no just claim on the mercy of the House. After stating, that when these Islands were conquered by us, it was provided in the capitulation that they should enjoy their own laws until it was finally settled to what nation they should belong, the hon. member observed, that, if the Dutch institutions, which now existed in Demerara and Berbice, were examined closely, it would be found that their courts of policy had no more right to enact laws to bind the inhabitants, than they had to interfere with the government of any other West-Indian island. These courts were solely empowered to put in force the laws of the States-general, or of this country, which was now the representative of the Dutch government. So strictly true was this observation, that, should any contumacious planter oppose or resist a law passed by the courts of policy, they had no authority to enforce it. The hon. member deprecated the obstinate and unfeeling conduct of the colonists of the islands in question, in having refused obedience to the order in council sent out by lord Bathurst. Had they acted differently, the discussions on the subject would have now been at an end, and the slave-population would have reaped the benefit of an order transmitted in May 1823, and which nothing but the cruelty of the colonists prevented from being carried into execution, at least two years and a half ago. The planters of Demerara had, it was understood, urged the late insurrection in that colony, as a reason why the recommendation of government had not been adopted. On that subject he should say nothing: it had been discussed in that House in a manner not soon to be forgotten, and the trial of the unfortunate and injured individual connected with it would long remain fixed in the recollection of every man who had a heart to feel for the undeserved sufferings of an innocent fellow-creature. That insurrection had been, by some interested persons, attributed to the missionaries; but the petition presented a few days back from Antigua went a great length to exonerate those individuals from the imputation of being its instruments or promoters; for it would be most unreasonable to argue, that their exertions could have produced a beneficial effect in Antigua, and an opposite one in Demerara. There were many circumstances, which, in his mind, accounted for the disturbances in Demerara. That colony had been loaded with fresh negroes, imported by English avarice and folly. There had been a great abuse of power exercised towards the slaves, so that, long before and after it became a British colony, there prevailed that discontent and alienation of feeling, which could not but break out into insurrection. If they compared the atrocities of former rebellions with the incidents of the recent one, it would enable them to form a somewhat accurate estimate of the purposes to which missionary influence had been directed. In 1789 there was a violent insurrection in Demerara; the negroes then fled to the woods, and perpetrated acts of cruelty, which even the greatest provocation (and their sufferings had been great indeed) could not justify. It was stated in Mr. Bryan Edwards's history, that a system of oppression then obtained in that colony, of so atrocious a character, as to make the blood of an Englishman run cold, and the blood of a negro to boil; and it had boiled, and had remained boiling ever since. Let the House look to the progress of the two insurrections, and then judge of the conduct of the missionaries. In 1789, when there was not a single missionary in the island, the negroes murdered many whites, burnt the farm-houses, destroyed the plantations, and rioted in the commission of every species of cruelty. During the last insurrection, there were many missionaries on it, and owing to their influence it was, that not one white life had been lost, except that of an individual who had been killed accidentally. This forbearance on the part of the slaves was the more deserving of approbation, when it was considered that they rose to force from their masters that freedom which they believed had been granted to them by government. Another predisposing cause of the recent insurrection was, the ill treatment of the slaves; and, if he were asked to produce authority for the assertion, he would at once turn to the trial of that individual Mr. Smith, to whom he before alluded. He would direct the attention of the House to the private journal of that amiable man, which, as it was not intended for publication, might be relied on as containing only a true detail of facts. Let them look to that journal, and there they would find irrefragable proofs of the existence of a system of cruelty which it was impossible to contemplate without shuddering.—The hon. member, after some further remarks, observed, that the manner of treating the slaves, and the attention paid to their complaints, however well-founded, would appear from the Fiscal returns. On examining the complaints of these unfortunate persons, as detailed in the returns in question, it would be found that but in one instance was the accused individual punished, and that not for cruelty, but for a more tangible offence, for starvation; that was to say, for not giving the slave that quantity of food to which he was by law entitled; and yet it was most strange that the slaves had, in many instances, been themselves punished; and the people against whom these charges were made, were, in nine cases out of ten, discharged on their testimony. But the injury which most of all was calculated to irritate the negro was the liberty taken by the manager or overseer with his wife or daughter. It was notorious, that in all the colonies the manager took whatever liberties he pleased with the female slaves; and, while he possessed the authority of inflicting such annoyances and punishment as he pleased on the wretched being, it was of course to be inferred that the slave was wholly in his power; for, though he might guard against violating the law, he had still the means of harassing, even if he never inflicted more than one lash every hour. One of the complaints on this subject, as given in the Fiscal's returns, was made in August, 1822, by Felix, a slave belonging to plantation Scotland. Felix states to the Fiscal:—"That he had a black woman upon the estate for his wife, now two years; and the reason of his coming to complain is, that the manager of the estate takes her from him, although he has a wife of his own. He is always taking the negroes wives, particularly his wife (Felix's), for she has had a child by him: and since the child has been born, the manager is always punishing him and his wife without a cause. Some time ago, ten of the gang came to complain to their master, Dr. Broer, to report to him that the manager had connexion with their wives: their master promised to them that he would remove the manager from the estate, and place another one there. Upon this promise, the negroes returned to the estate; but since that they have never heard of another manager."—"On hearing this complaint, the acting Fiscal proceeded to the state, accompanied by Dr. Broer, the owner; and on questioning the manager and negroes, in presence of each other, on the subject-matter of the complaint, it appeared that Felix had neglected his work, and was told he would be punished if he did not finish his task the next day, which he did not do; and therefore, supposing the manager would punish him, he went to the Fiscal to complain. This being proved, Felix was punished for his misconduct, and the manager severely reprimanded for taking improper liberties with the women on the estate, which it was evident he had done! and Dr. Broer was therefore strongly recommended to discharge him from his employ." But, although he was dismissed for a short time, it appeared that he was afterwards employed. In another case, where an individual had been guilty of several barbarities towards the slaves under his control, the sentence, upon prosecution and conviction, was only three months' imprisonment, and a fine of twenty-five pounds; to be sure there was, in that case, too, a recommendation to dismiss him from exercising any further control over the slave population; but, as in the case to which he had alluded, the moment the time of imprisonment expired, he was employed as before. It was a rule of philosophy, which had his full concurrence, and which he intended to abide by in the present case, that when there was sufficient for the support of a cause, it would be an unnecessary waste of labour to go further. That he had stated enough in proof of the positions he had advanced, he was fully satisfied, and he would now revert to what was more immediately connected with his present motion. His majesty's government had intimated it to be their intention, if they had not already carried such intention into execution, of appointing a protector or guardian of slaves in the colonies. Now, although he approved most heartily of the principle of such a measure, yet he would contend, that, unless they carried that principle much further, and absolutely prohibited all such inspectors from being in any way connected with the employment or employers of slaves, they would do little or nothing by such appointments towards those objects which he believed his majesty's government to be as sincerely interested in, as the abolitionists themselves. He had proofs in abundance, that, in the colony of Demerara, of which he was particularly about to speak, nine out of ten of the persons appointed to guard against abuses were themselves the most interested in their continuance. The burgher captains, the persons who decided the disputes between slaves and freemen, were themselves the owners of slaves; and the friends, companions, and connexions of the whites. Upon what principle of reason or common sense, then, could it be supposed, that they would decide impartially in those cases which were brought before them? The very idea of such authority being a protection to the slave, was an absurdity. Mr. Henry, who had published some curious statements with regard to the island of Berbice, represented the criminal and civil law of that colony, and all those islands which once belonged to the Dutch, as being a matter of extreme nicety. The code of laws left by that nation to their colonies was like their own, chiefly founded on the old Roman law; and Mr. Henry observed, that both in its method of taking examinations, and in the whole of its proceedings, it involved great legal niceties; that it was difficult to acquire, and very little understood by those who were called upon to decide according to its dictates; and that the burgher captains in particular knew little or nothing about it. He did not mean to censure any men, or body of men. It could not, perhaps, be expected, from their situation in life, that these persons should be profoundly versed in legal technicalities; but it was, he thought, obvious, that if they were totally unfit to administer justice among the whites, they were not fit to be intrusted with the protection of the blacks; and when it was recollected, as he observed before, that they were in every instance the friends, companions, and even relations of those who might be supposed the aggressors, it could not be expected that the slaves would derive much benefit from their interference. Now, it was proposed, he understood, to send out only one principal inspector, who was to be, in every instance, a man as impartial and as free from all local prejudices as human nature would admit. But he distinctly laid it down as beyond contradiction, that unless the minor inspectors were equally impartial, and equally free from the operation of local interests, there could be no protection to the slave. It was impossible for any man, however endowed with bodily or mental energy, to be present in every place where persecution and cruelty might be practised; and, unless the subordinate inspectors were made as free from interest as the principal, the whole end of their labours would be defeated. We declared in this country, by our actions and our expressions, that Roman Catholics were incapable, by their religious tenets, of understanding or practising the relations enjoined by civil society; but it was somewhat strange, that in every colony which had been subject to Roman Catholics, the laws were more favourable to the slaves, and productive of effects infinitely more beneficial to their interests, than in the colonies belonging peculiarly to those who were styled the liberal Protestants. In Demerara, it was one of the great objections to the missionary Smith, that he had gone about asking questions with regard to the condition of the slaves, for the purpose, as was alleged, of ingratiating himself into their favour; but his astonishment might be conceived, when he found that what was objected to the missionary Smith, by Protestants, and censured in such unmeasured terms, was one of those things enjoined and commanded by Roman Catholics. In the Spanish colonies, the Roman Catholic priests were commanded to go about, and visit, and comfort, and inquire into the wants and complaints of the negroes. Was it not astonishing, that those who had first imported the Africans, and worked up the Aborigines, should have left us the model upon which we had since framed our resolutions? The order in council sent to Trinidad was, in part, if not wholly, founded on the old Spanish laws. And was it not disgraceful in the highest degree, as Protestants, that we should thus adopt so tardily the measures left us by Roman Catholics; and that, adopting them, we had not more speedily carried them into execution, to their full extent? It was said, that the negroes were not in a fit state to be emancipated. This he believed most truly, and sorry, very sorry, should he be to see any order promulgated for their immediate freedom; but if they were not fit for the enjoyment of freedom, to whom was that to be attributed but to the masters? They had brutalized these unhappy beings, and deprived them of the capacity to appreciate the advantages which might be conferred upon them. They had left them in that state which would make it dangerous to intrust them with liberty. He was not speaking of individuals, but of the general body of slave-owners. These individuals had possessed an unlimited authority over their slaves. Had they used it for the purpose of humanizing them? On this point he wished for no other concession than that which had been made, over and over again, by Mr. Bryan Edwards, who was himself a West-India proprietor. That gentleman had admitted that the state of the West Indies was truly deplorable; that the example set by the colonists to their slaves was such that it was no wonder that the slaves, instead of improving in their conduct and morals, actually deteriorated. And how, indeed, could it be otherwise, when nothing was attempted by the slave-proprietors in the way of education or religious instruction? Except a law, passed ages ago, he believed in 1669, for building churches and educating slaves in the island of Jamaica, and which law was almost a dead letter, nothing had been done to make the slave acquainted with his moral or religious duties. There was an old story told of the king of Prussia, a martinet in his way, but a great pretender to philosophy, that when a soldier was brought before him for some infamous offence committed against good order, he asked if the man was a good soldier; and upon being told that he was a very good one, he replied, "Then, what have I to do with his morals?" So it was with the slave-owners: provided a negro worked well, they did not consider they had any thing to do with his moral or social duties. It was, therefore, very true, that the negroes were not fit for deliverance from thraldom. But what could be said to those who had for forty years—from the first time when his valued friend, Mr. Wilberforce, sounded that note, which had been repeated still louder by Mr. Pitt and Mr. Fox afterwards—what could be said to those who had neglected every opportunity of providing for that crisis which they saw must come, and shuffled off every recommendation which was offered them as a provision against the danger? If all the negroes who had been in the hands of their masters for the last forty years had been properly treated and instructed; if a redress of their wrongs, and a cultivation of their minds, had been set about in good earnest, he entertained no doubt but that we should now have had our West-India colonies filled with a sound, moral, and intelligent population. Indeed, of all the charges he had to make against the colonists, none was so heavy in his opinion, as their neglecting so wantonly those signs of the times which were so distinctly apparent, and which not only reminded them of their duty, but also pointed out the path to its performance, and the consequence of their neglect. Speaking, however, of those duties which, as men and as Christians, they were bound to fulfil, what terms were strong enough to express their sense of such gross neglect and indifference? If slavery was only a civil crime, a malum prohibitum, the slave-owner might have considered that he did all that was required, when he evaded the commission of a felony or a piracy, and virtually obeyed the injunction of the legislature; but he knew, that when he took upon himself the right to the labour of the slave, he also took upon himself duties of a higher and more sacred character than any which were either enjoined or claimed by the laws of his country; he knew that he took upon himself duties which existed before the 30th of George 3rd was ever contemplated; and though the penalty of the omission of one kind of duty might depend on the statute, he knew that an attention to the other was more imperiously, though perhaps more silently demanded from every man who pretended to be worthy of an admission within the pale of civilization, or to have made himself acquainted with the precepts contained in the book of the Christian Word.—There was only one point more to which he would advert; but he thought it came so home to the question of the humanity of the Slave-trade, and was so highly deserving of their serious consideration, that he could not avoid troubling them with a few observations upon it. It had very recently come to his knowledge, that the cultivation of sugar was more injurious to human life than any other of the West-India productions. The assertion had been made before; but he was now possessed of proof upon the point, which must be considered conclusive. A commission had been sent out from St. Christopher's to inquire into the state of the island of Anguilla, and the reporter states in these terms the result of his investigation:—"The ground is poor; the slaves have no cattle; they acknowledge no government; crimes are left without punishment. They have no sense of morals to act as a restraint upon their actions. The slaves are few, and totally destitute of clothing. They have no food; and to sum up all, it is impossible to conceive a system more ruinous to the master, or more degrading to the slave." But let the House bear in mind this picture of misery, and consider how it was to be compared with the state of those in more favoured soils. In the four great sugar islands there was a decrease of human life, varying, according to the production of sugar, from eight hundred weight per man down to two hundred and a quarter. In these colonies—and they were the richest in soil—when about seven or eight hundred weight of sugar per man was produced, the decrease of the number of slaves averaged from two to three per cent. In colonies where the production was three, four, or five hundred hundred weight per man, the number of slaves remained nearly the same; but in Barbadoes, and some others, where the quantity of sugar produced was smaller, there was a small annual increase. But the great and conclusive confirmation to this theory was to be found in Anguilla; where the slaves, living in a poor soil, without clothing, food, morals, or government, were—as the reporter stated—vigorous, healthy, and increasing rapidly, and yet they produce only two hundred weight of sugar each. Was not this an establishment, beyond all question, of the truth of the principle, that the cultivation of sugar was pernicious to human life? The hon. gentleman concluded by observing, that he did not mean what he had stated as a reflection upon any body of men. He merely pointed out these facts as proofs of the evils of the system under which the negroes suffered—evils which, he trusted, would not now long remain without remedy. He would not trespass further upon the attention with which the House had so kindly favoured him, but conclude by moving the resolution he had to propose, and which, he believed, would be found to contain recommendations of the utmost importance to the success of those measures which parliament had pledged itself to carry into execution; namely,

"That, from the official documents laid before this House, and other authentic information respecting the colonies of Demerara and Berbice, it appears that although protection has been held out to the slave-population of those countries, either by the fiscal or chief judge, in the capacity of protector of slaves, or by some other person acting in that character, yet that the slaves have generally been, and still remain, exposed to numerous vexations and grievous oppression, demanding effectual relief; and that the House has therefore observed with great satisfaction the declared determination of his majesty's ministers to promulgate in those colonies an order in council on this important subject, to which unqualified obedience will be required: But that from all reasoning and experience, this House is led to conclude that no legal enactments, however well devised and strongly framed, can prove sufficient for such effectual safeguard of the slave, unless the officers, both principal and subordinate, to whom the execution of the law is to be intrusted, shall be appointed and supported by the government at home, and absolutely prohibited from possessing or employing slaves in any capacity, either prædial or domestic."

Mr. *Wilmot Horton* said, that the greater part of the hon. member's speech was so little in keeping with the resolutions that he had submitted to the House, that he felt some difficulty in knowing whether he was to address his observations to the speech or the resolution. In the first instance he must object to a part of the hon. gentleman's resolution; for to say that the slaves still remained in a state of insecurity, was to say that the course which had been pursued by his majesty's government, and which had been sanctioned by the approbation of parliament, was insufficient to remove the existing evil. At that moment, the order in council which was issued in Trinidad was, with a few modifications, in full operation in Demerara, and would soon be so in Berbice. Under these circumstances, he owned he was at a loss to discover what practical advantage there could be in looking back to see what the law, and the usages under the law, had been. It would be much better, in his opinion, to look forward, and to anticipate the benefits which would result from the measures that had lately been adopted. It was perfectly true that a protector of slaves had been appointed for the colony of Demerara. He was an individual who, after a full inquiry into his qualifications and character, appeared to be perfectly competent to the important situation to which he had been appointed by the Crown. This gentleman's instructions were to the following effect:—"It is your particular duty, as protector of slaves, to watch over all the regulations that may exist at present, or that may be introduced hereafter, respecting the treatment of slaves in Demerara. You are to apply to the local government for such facilities as may enable the slaves to communicate to you any complaints they may have to make against their owners; and you are not to fail to report to the lieutenant-governor any impediments which may be thrown in the way of such communication. You are not, on all occasions, to wait for the spontaneous complaints of the slaves themselves; but if you hear of any mal-treatment to which they have been subjected, you are to repair to the estate on which that reported mal-treatment has occurred, and institute a diligent inquiry into the circumstances of the case. You are not, however, to forget, in the execution of your office, that it is as much your duty to secure the legitimate rights of the proprietors, as it is to protect the slaves from injustice and oppression. On those points you are to endeavour to exercise a sound discretion, and to adopt such measures as, while they secure the slaves, may not interfere with their industry or with the obedience which they owe to their masters. For that purpose, although you ought to exercise the utmost vigilance in protecting the slaves from injurious treatment, you ought at the same time to discourage all frivolous and unfounded complaints. One of your earliest studies ought to be, the means of fixing on the minds of the slaves, by such statements and arguments as may be capable of comprehension by them, the principles of these instructions." He should be able to place these instructions in a few days on the table of the House; but he trusted that the extracts which he had read from them would be sufficient to meet the statement of the question which had that evening been made by the hon. member for Norwich. The House would see from them that the protector had power given him to enforce the duties of his office, and that, if that power were not sufficient for his object, he was authorized to apply to the governor for more. The plan which had been tried in Trinidad was already carried into execution in Demerara, and was preparing to be carried into execution in Berbice—an improvement to which the hon. member ought to have referred in preference to the acts of exasperation which had taken place at former periods. Indeed, he thought that it would be wiser for the hon. member to draw the attention of the House to the favourable prospects of the future, than to involve it in these inconvenient discussions on the past, from which no advantage could be derived either to the question which the hon. member had at heart, or to the more general and more important interests of society. The hon. Secretary then proceeded to notice that part of the speech of the hon. member for Norwich in which he had declared it to be desirable that all the persons connected with the tribunals in these colonies, subordinates as well as principal, should be prohibited from having any property in slaves. In the case of the protector of slaves, of the chief justice, and of the attorney-general of the colony, he was prepared to say, that the government was determined to enforce such a regulation; but he doubted whether it was prudent to say, that, in all the minor officers of judicature, all property in slaves should be prohibited. A regulation to that effect would render property in slaves a degradation contrary to the resolutions unanimously assented to by the House in 1823, which secured to the planters that species of property, and gave them all a beneficial interest in it. In the progress of his speech, the hon. member for Norwich had adverted to the insurrection which had broken out in Demerara two or three years ago. He had said that it was calumnious to attribute that insurrection to the causes to which it was usually attributed, as it arose principally from the unsatisfactory situation of the slave-population. He had likewise made an admission on the subject which he was very glad to hear. The hon. member had said, that the slaves had risen to attain that freedom which they erroneously supposed had come out to them from England. Now this was what had always been asserted on the ministerial side of the House, and as roundly denied on the opposition side. The hon. member for Norwich, and those with whom he was in the habit of acting, said the insurrection did not arise from any misconception on the part of the slaves, but from the mistreatment to which they had severally been subjected. The hon. member now unsaid his former declaration; and if there had existed a doubt of his policy in so doing, it was entirely done away by one of the last despatches of sir B. D'Urban to lord Bathurst. That despatch, in which sir B. D'Urban said that he had been doing every thing in his power to teach the slaves to look up to him for protection, contained the following paragraph among others: "I can now have no doubt that the opinion I expressed to your lordship on the 5th, was well-founded, and that many of the slaves had still continued under the delusion which I then described; indeed several of them avowed it, and evidently took leave of the hopes they had so long cherished, with strong feelings of sorrow. Their eyes, however, are opened now; and they will no longer have that strong excitement to revolt which arose from the belief that they were contending for rights (and by that belief they were unquestionably actuated in the late revolt) which they supposed had been granted them in the mother country, but suppressed by the colonial authorities. At the same time that they have been now made aware that freedom, in the manner they had anticipated, is out of the question, they have also learned that many real advantages are preparing for them, if they deserve them by quiet and subordinate behaviour; and I have assured them that, as on the one hand the severe punishment of any disorder among them will be certain, so on the other, if any individual shall at any time think himself oppressed or ill-treated, I shall always be ready to receive his complaint personally, and redress it if it be well-founded." This despatch did honour to sir B. D'Urban, and must convince the House that the recent insurrection of the slaves arose from misconception on their parts, and not from ill-treatment on the part of the masters. That misconception, he was happy to say, appeared to be removed at present entirely from the minds of the slaves, and he trusted that nothing would pass in that House calculated to renew it. He agreed with the hon. member for Norwich, that the statements made by the fiscal of Berbice were extremely unsatisfactory; but at the same time it ought to be recollected, that his explanation of them had not yet been received. As to the observations of the hon. member, on the condition of the island of Anguilla, and as to the instances which he had cited, to prove that the mortality among the slaves was always greater where sugar was cultivated than it was where any other article was cultivated, he had only one word to say. Admitting the fact, what inference would the hon. gentleman draw from it? Did he mean to say that all employments were equally healthy in this country? The colliers of our mining counties and the agricultural labourers of our villages were by no means on a footing with respect to health. Fire-damp, and other evils, rendered the occupation of the former much more destructive than that of the latter. But what was the inference? Were coal-mines not to be worked; and in the West-Indies was sugar not to be cultivated? If the plantations were cultivated by free labour; if free labour prevailed over the whole of the West-India islands; the probability was, that the case would be the same. If the planters had landed property, that property must be cultivated. If they over-worked their slaves, if they neglected their health, there they were in error; but as to the comparative mortality of the occupation itself, no useful inference that he could see could be drawn from it.—He now came to the last point to which he was desirous of calling the attention of the House. His hon. friend behind him, the hon. member for Lymington, had appealed to him against the accusations so freely thrown out, of uniform cruelty and mal-treatment on the part of the planters in the West-Indies towards the negroes; and had called upon him to state, whether the information received at the office of the Colonial Department tended to confirm or contradict those accusations. He would answer that call in a few words. To suppose that no instance of cruelty or oppression on the part of the planters existed, would be to suppose a gross absurdity. Even where there was no such relation as master and slave, such instances occurred in the intercourse of the employer and the employed. It was inseparable from the intercourse between man and man. But he was bound to declare, that if the authorities from which his majesty's government received their information were to be credited (and he knew no reason why they should not be so), he most conscientiously believed that the statements on that point were generally exaggerated, if they were not wholly unfounded. He admitted, however, that that fact did not bear on the question under discussion so as in the slightest degree to justify a relaxation in any effort to secure the good treatment of the slaves. But he thought it extremely unfair to keep pressing forward an opinion, that the slaves were cruelly used; and to work on the feelings of the people at large, for the purpose of inducing them to go beyond his majesty's government, acting as the latter were on the solemn pledge contained in the resolutions of parliament. He was quite willing that the conduct of government should be judged by its conformity to those resolutions. If any hon. gentleman fancied that to the spirit of those resolutions his majesty's government did not sufficiently adhere, let him come to that House and make his statement; but he trusted that if any such assertion was made, he should be able to convince parliament and the country that it was totally without foundation. He wished the hon. member for Norwich to consider whether he would not consult the true interests of the cause he advocated by not pressing his motion in its present form. He did not wish to put a direct negative on it, because he agreed with many parts of it. He had endeavoured in the course of his speech to show that in Demerara and Berbice all the measures of amelioration which he had proposed were actually carried into effect. That met the first part of the hon. member's resolution. That the property of slaves should not be vested in the high functionaries in the colonies he had already conceded; but that the subordinate officers should be trusted with the possession of such property, from the instance that had been afforded, as an example, he was not disposed to condemn it. Under these circumstances, and under the progressive improvement of the slave-population, he felt himself justified in moving the previous question.

Mr. *C. R. Ellis* said, he could not allow the conduct of the West-India planters to go undefended. He asserted that they treated their slaves with kindness and humanity, and, whenever they acted otherwise, it was well known that they were subject to the control and animadversion of parliament. It was equally well known, that their property was secured to them by the faith of parliament, and that, if any encroachment was made upon it, it was the bounden duty of parliament to afford them an adequate compensation. He was quite willing, however, to agree with what the right hon. Secretary for Foreign Affairs had said on a former occasion, that for any measures calculated to promote the future improvement of the slaves, the planters had no right to compensation; but, he contended, on the other hand, that for any measures tending to their future emancipation, the planters had a right to compensation, if the measures proved injurious. He bore testimony to the general humane treatment of the slave-population, and lamented that, when any exception to it occurred, the odium which it excited extended to all the planters, instead of being confined to the individual who deserved it. He coincided with many of the remarks which had been made on the report furnished by the fiscal of Berbice, and admitted that it was impossible to read many of the complaints which had been made to him without feelings of disgust and horror. He was grieved that in the report none of the evidence by which those complaints had been substantiated or refuted was given; and still more that, during the last twelve months, there was an omission of any record of the decisions which the fiscal had made. To judge properly of that report, the House ought to know in how many cases redress had been claimed and afforded, and in how many it had been claimed and refused. He had made an analysis of that report; and he had found that, in the first section of it, out of forty-three cases of complaint, which had occurred in the last thirteen months, twenty-seven were judged to be altogether groundless; eight were cases in which both parties were declared to be in the wrong; and eight only were cases in which the complainant was declared to be in the right. Applying the same analysis to all the cases in the report, he found that out of three hundred and thirty-three cases of complaint, two hundred were declared to be unfounded. Of the other hundred and thirty-three cases, in one half both parties were in the wrong; leaving sixty-seven cases only of real complaint in fourteen years, or about five cases yearly, with a population of twenty thousand negroes. The hon. member continued to argue, that the statements generally put forward against the planters were exaggerated, and in many instances wholly unfounded; but at the same time he was, he said, entirely favourable to every fair and rational scheme of amelioration. With respect to awarding punishment against those who had preferred unfounded charges, he would merely say, that the practice was consonant with the practice of the courts of justice in this country, where punishment, either pecuniary or personal, was inflicted upon persons who defamed the characters of others. He had no objection to afford every protection to slaves which would not destroy that due subordination, without which the business of the world could not be carried on; and for that purpose he would not object to the appointment of protectors of slaves, but he trusted that the persons appointed to those situations would be professional men, possessed of legal experience, and wholly unconnected with the Anti-slavery Society. Whilst on his legs he would observe, that according to the general usage of the colonies, the governors presided in the court of Chancery. Now, it was a well-known fact, that those governors were almost without exception, military men, possessed of no legal knowledge; and, considering the importance of the cases which they were called upon to decide, he thought they ought to be relieved from that duty; or, if it should be determined that it should be performed by those gentlemen, they ought to have the assistance of professional assessors.

Mr. *R. Martin* said, if he thought that by passing the resolution, the good contemplated by the hon. mover, would be the consequence, he would give it his decided support; but as he was satisfied that, taking the sense of the House (be the result what it might) would produce consequences diametrically opposite to those anticipated by his hon. friend, and would have the effect of encouraging the colonial assemblies in their opposition to the wishes of his majesty's government, he would suggest the propriety of withdrawing the motion.

Mr. *Denman* said, he did not think with the hon. member who had last addressed the House, that the pressing of this resolution to a division could have the effect of better enabling the colonial assemblies to resist the wishes of parliament and the government. The hon. gentleman who last but one had addressed the House, had, very unjustly, accused the hon. mover, with having indulged in a desultory speech, but that hon. member appeared to him to have followed the course which he had so much deprecated. He had not heard any observation from that hon. member, which did not appear to him in support of the resolution. If the real intention of the parliament and the government was, to remedy the evils under which the slave-population laboured, he thought the only means of effecting that object was, to state in plain terms, that the parliament and the people of England would not be trifled with, and that a complete reformation must be carried into effect. With respect to the pamphlet which had been the object of so much abuse, he must say, that he had never seen a document upon the subject, which was more entitled to the confidence and thanks of the public; and, for this reason, that not a fact was stated without referring the reader to the official document from which it was taken. The observations made in the pamphlet might, perhaps, sound too strong to the ears of gentlemen connected with the West-India colonies; but, by the candour and fair dealing of the writer, in referring to the official documents, the reader was enabled to judge for himself, whether or not those observations were justified. Let hon. gentlemen talk as they might about property in slaves, the root of the evil consisted in the recognition of the right of property in slaves to another set of persons. To that recognition were to be traced all the oppressions and perversions of law, to which the unhappy negro was exposed. The way in which the arguments against slavery were met by the friends of that system were rather curious. When facts were stated by the opponents of the system, they were denied by the other side; but when those facts were proved, those gentlemen exclaimed, "Oh those things might have happened in times gone by, but it is impossible they can happen now, for the slaves are well-treated." Even admitting that the slaves were well-treated, that would not, in his view of the question, be any argument against the abolition of slavery. His hon. friend had said, with great humour and truth, that the present tense had been struck out of the grammar of the West-India planters; but the hon. Secretary wished to strike out of that grammar the future. Every abuse was now said to have happened formerly, to belong to time gone by, and which ought therefore not to be remarked upon. The House had heard a great deal about the representation of a black man in chains being placed at the head of the petitions against slavery; and it had been asked, if such representations were not a perversion of justice? He begged, in return, to ask the House, whether, if the real condition of the slave, as it appeared from the West-Indian newspapers, were described in those petitions—if it were stated, that the slave was confined within the walls of a prison for the default of his master, in not paying his taxes or his debts—if it were stated, that the slave might be taken in execution for his master's debts, as cattle were sent to pound in England—would such a statement be less likely than the representations so much complained of to excite the honest indignation of the people of England. When, in support of the charge of cruelty against the slave-owners, the brand was mentioned, the answer was, "Oh, that was done in times gone by, but now is considered illegal." He believed it was considered illegal, but he believed there was no colonial law declaring it to be illegal.

Mr. *Wilmot Horton* said, it was illegal under the general law of cruelty.

Mr. *Denman* said, he certainly understood that the brand mark was considered as coming within the operation of that law, but he repeated, that there was no specific act of the legislature declaring it to be illegal. What possible objection there could be to the motion of his hon. friend he was at a loss to imagine. It had been admitted on all hands, that the office which had been instituted of nominal protector of the slaves was an inefficient one; and the effect of this motion would be, to give to the slaves the benefit of real protection. The fiscal had made, in the cases alluded to by his hon. friend near him, some very incorrect returns. By those and other returns, it was clearly shown that great and excessive cruelties had been practised upon the negroes. And could any man deny that the penalties which had been, in a few instances, inflicted upon those who had been guilty of such cruelties, were disproportionate to the enormity of the offence? For his own part, he had been exceedingly astonished to hear an hon. member say of them, "that they were not in unison with the feelings of his own mind." Now, really, when a gentleman of the cultivated mind and kindly feelings which that hon. member was known to possess, could content himself with applying so mild an expression to a case where the most enormous and disgusting atrocities had been visited with so lenient a hand, he felt that no better proof could be furnished to parliament of the effect which familiarity with a terrible system of slavery would have, even upon the most amiable and accomplished individuals, in dulling their sensibility to the sufferings of those who were the victims of that system. But, it was contended that the motion was an attack on his majesty's government. Now, how was that assertion made out? If their exertions had not been hitherto successful as to the objects which this motion sought to attain, and government was desirous of prosecuting them, could that be an attack upon its proceedings which was intended to arrive at the same end which those proceedings proposed to accomplish? He did not understand why the resolution was objected to, as it only required what every one acknowledged to be necessary; namely, that the proprietors of slaves should not be eligible to certain offices, in which the latter would come in contact with them.

Mr. *Wilmot Horton* said, he had not opposed the motion on the ground that it was an attack on the government. His objection to it was, that all which it proposed to do had already been done by government.

Mr. *Denman* said, that if that were the case, he had misunderstood the hon. gentleman, and the time of the House had been wasted in useless discussion. He thought, however, that it would not be improper to confirm what had been done by government, by a resolution of that House, and on that account he would vote for the motion, if his hon friend should press it to a division.

Mr. *C. R. Ellis*, in explanation, said, the phrase "not in unison with his own feelings," was applied to the sentences passed upon the culprits. Upon the details of the cruelties themselves, he had said, that they could not be read without horror and disgust.

Mr. *Denman* said, he could not retract the remark he had made; inasmuch as, in his view of the matter, the conduct of the fiscal in inflicting light sentences, where the most enormous offences had been committed, was even more reprehensible than the commission of such acts of violence, under certain circumstances.

Mr. *Baring* said, it appeared to him, that the House was called upon to decide this question; namely, whether it was proper that the management of the colonies should be placed in the hands of the executive government? If the House were of opinion that the executive government should not have the power of governing the colonies, let them once declare so; but if they were not of that opinion, it would be most dangerous to control or interfere with the government by any resolution of that House. He would beg the House to consider how the case stood. The House some time ago adopted certain resolutions, proposed by the right hon. the Secretary for Foreign Affairs, having for their object to ameliorate the condition of the slave-population in the West-India colonies; and those resolutions were now in the course of being carried into effect in the colonies over which the government possessed direct control. Now, if his hon. friend, the mover, and others around him, thought that government did not proceed fast enough, he could understand their conduct, which otherwise he could not do. Although very inflammatory language was put forth to the country elsewhere, his hon. friends in that House admitted that it would be dangerous to proceed at once to immediate emancipation. That being admitted, he asked what could be done more than government was doing; namely, preparing the minds of the negroes by degrees to receive the blessings of freedom. He regretted very much that any thing like an interference with government should take place on the part of that House; for experience had proved that such a circumstance operated most injuriously on the minds of the slave-population. Government had settled the minds of those poor creatures by declaring what their intentions were; and no sooner was that done, than an attempt was made to render them discontented. He did not mean to impute such an intention to his hon. friends; but he could not conceal from himself that there were persons who, finding that the system of gradual improvement would not suit their purposes, wished to infuse into the minds of the negroes an idea that parliament was goading on the government to do something further for them. He believed that most of these proceedings were caused by a society in this country, of whose course he could not approve. He believed their proceedings were not only totally irreconcileable with common prudence, but that they were opposed to the true interests of those people for whose advantage they were intended, and calculated to produce irremediable mischief and most extensive confusion. He had not wasted his time in reading the pamphlets issued by this society, but he thought he had not been mistaken in his description of them. The members of this House, who concurred in the proceedings of the society to which he had alluded, in some measure followed up the example, by frequent notices on this subject. An hon. and learned gentleman near him had given, on the first day of the session, a notice of a motion with respect to the state of slavery in the colonies. That motion had since been postponed; but, in the mean time, the paper had been crowded with incidental notices upon the same subject, one of which had been given by the hon. member for Weymouth. He should say that their object was obvious, if he could reconcile their conduct with the honourable principles which he knew they possessed; but, from what he knew of them, he must say, that their conduct was totally irreconcileable with their principles. As the hon. member who proposed this motion did not require the immediate emancipation of the negroes, he could not possibly understand what could be his object. He trusted that these gentlemen would see that the steps of government could not be accelerated without the greatest danger to the colonies. It was already on record, that the partial insurrection which had taken place in Jamaica had been caused by the same means. The negroes laboured under the most complete delusion. They believed that there was a conflicting power at home, acting in opposition to the government under which they were living. This belief led them into those errors so dangerous to the peace of the colonies. The negroes of the best conduct and characters were the most deceived. Their masters had so described them in their account of the insurrection. He trusted that this instance of the effect of unnecessarily agitating the colonies, would serve as a warning to hon. gentlemen. In his opinion, the measures already adopted by government would, in the course of time, bring about a state of freedom amongst the negroes, after their minds had been prepared for its reception. To go further would be to produce mischief. The hon. mover, in some degree, admitted what had been done for other colonies, since his selection of this showed his acknowledgment of their improvement. He believed that the Methodist missionaries had done more to introduce moral and religious instruction amongst the negroes than any other set of men; but even they had come to the resolution, that the state of slavery in Jamaica had nothing in it repugnant to Christianity. This did not please the people in this country, who, from one end of the year to the other, were talking about slavery without knowing any thing of it, and asserted that the resolution must be recalled. Such indiscreet conduct must produce a bad effect. In conclusion he would oppose the motion, because he thought that emancipation would be much sooner effected by the gradual progress of the measures adopted by government, than by the rash and inconsiderate guidance of persons who, without any intention to do so, were injuring the cause which they were anxious to serve.

Mr. *Brougham* said, he was compelled to complain of the gross misrepresentation of his hon. friend, both of members of that House, and of individuals out of that House forming the Anti-slavery Society. His hon. friend had charged that society with agitating the country on the subject of negro slavery, and with creating the feeling which existed abroad, and which would exist until it had produced an effect on the deliberations of that House, if necessary; on the conduct of government, if that conduct should require such influence; and last, but not least in this question, even on the West-India legislatures themselves. He, however, denied that the feeling which pervaded the country on the subject, was attributable to the agitations of the society, to the publications emitted by them, or to the speeches made at its meetings. No misrepresentations had been put forth by the society. They had made no appeal to the passions of mankind, but had only repeated facts stated in the first place, out of the mouths of the West-Indians themselves; and by those facts had the feelings of the people of England been unanimously roused. His hon. friend had stated, that he had not time to read the publications put forth by the society. In justice to the society, he wished his hon. friend would not find time to condemn publications which he could not find time to read. He himself had read the accounts of almost all the Anti-slavery Society meetings and, although the persons attending those meetings were naturally excited by the nature of the question with which they had to deal, he had never observed, an instance in which emancipation—rash, sudden, and immediate emancipation—was recommended by the most ardent friends to the improvement of the negroes, or the most inveterate enemy of slavery. With respect to the publications put forth by the society, they consisted only of abridgments of papers laid before parliament. His hon. friend had accused him of having given notice of a motion on the subject of slavery, and of having put it off from day to day, which it was said had a mischievous effect. It was true he had given notice of a motion on the subject of negro slavery, and he had attended from day to day, prepared to bring it on, but he was prevented by a petition presented by his hon. friend the member for Weymouth. The discussion on that petition had drawn from the right hon. the Secretary for Foreign Affairs, a statement in which was given a detail of facts, of which he alone as a minister could be supposed to be possessed. He was bound to give credit to the statement then made as a correct one, but he had since found that the right hon. Secretary was himself deluded in the information conveyed to him, that something had been done by the colonial legislatures towards ameliorating the condition of the slaves. That the right hon. Secretary was himself deluded in the statement he then made, he had no doubt; and he now felt that he was wrong in postponing his motion, in consequence of the information then conveyed to the House by the right hon. gentleman. He had been led to suppose that something had been done; but he had since reason to believe, that what was done by the colonial legislature was only a mock compliance with the wishes of the government on the subject of slave treatment. He would pledge himself to prove, that nothing of what was then stated as having been done had been accomplished by the colonial legislatures. Having, for the reasons he had mentioned, been induced to postpone his motion, he was obliged to postpone it for six weeks; for he had something else to do in the interim. After the period at which he could attend, he found that the earliest day at which he could bring on his motion was the 11th of May, on which day he was determined to bring it on; but if circumstances should prevent him on that day, he would fix it for the next Wednesday following, if the frail tenure of the session allowed him that time. He thought that parliament ought not to separate without coming to some decision on this important question. Without going into further details, he would give his vote in favour of the proposition of his hon. friend.

Mr. Secretary *Canning* said, that the view which he took of the question would not require that he should trespass for any length of time on the attention of the House. Whether he viewed the motion as tending to excite the fears of those connected with West-India property, or to stimulate the zeal of those opposed to negro slavery, he thought it at the present moment unnecessary. One of his objections to it was, that it professed to be in furtherance of the views—as all those motions were said to be—of those who were favourable to such an improvement of the condition of the slaves as would lead to a gradual abolition of slavery. Such a motion, he would say, was at the present moment unnecessary. He spoke not so much in objection to this particular motion, as to the motives of which it was an evidence, and to the system of which it formed a part. If the motion were made from a suspicion that government was not sincere in what it proposed to do, it was not well-founded; and it was worse, as it might tend to counteract the effect of what was proposed to be accomplished. He would be satisfied that government should be judged by what it had proposed to do, and by the endeavours which it had made to carry its intentions into effect. If it were intended to do more than government had already proposed to do, the time for discussing that question would come when the motion of the hon. and learned gentleman came for consideration; but it was hardly fair thus to introduce as fractional parts, what was afterwards intended to be proposed as a whole. Mention had been made of public meetings on the subject of West-India slavery. He spoke of those meetings with every respect for the parties and the object they had in view; but when they proposed their resolutions as in aid of the objects of government, he must say that, in many instances, they were rather an incumbrance than an aid. For what was the object to be obtained? The over-weening zeal of parties on one hand was intended to meet what was called the obstinate resistance of the local legislatures on the other. But he would ask, would the meetings to which he had alluded counteract this resistance? Would they not rather tend to make obstinacy more obstinate, and resistance more to be dreaded in its consequences? If those resolutions were intended to aid the efforts of government, the government disclaimed them; if they were not so intended, they were still more injurious. If meant to assist government, he would beg to say that they wanted not that aid; if otherwise, and intended to counteract the measures which government had proposed, they must, of course, submit; but at the same time he must say, that the opposition was only creating a new difficulty, which would tend to retard the object of both parties. The hon. member for Norwich had observed, with regard to the situation of the negroes, that there were certain disgraceful facts which could not be denied, and certain cruelties, the record of which could not be effaced. But that was not the question. If the question were as to whether the present system were to be upheld, then indeed it might be necessary to remind the House of such revolting facts, and to come before it armed with such arguments: but, when all parties were agreed in the desire of terminating such a system, and which desire was expressed in the unanimous resolution of that House on their Journals, then he must say that such arguments were adduced *otiose*, and brought forward only with a view of exciting feelings, which, in his opinion, ought to be controlled, if any practical good was to be produced by the efforts that the government were making. On these grounds, therefore, without going at all into the details of the question then before them, which was not the first time that it had been agitated during the session, nor was it to be supposed to be the last, by five or six—he considered the motion not only unnecessary, but calculated to aggravate the difficulties which they had already to encounter. At the same time he would state what, perhaps, might be unpalatable to both parties; namely, that it was the unalterable intention of government to carry the resolutions already agreed to into effect. Those means would be found in the orders in council, which he was persuaded would be carried into operation without realizing the apprehensions of those who on the one hand were afraid that nothing would be done, or who, on the other, thought that in what was proposed to be done the security of colonial property would be endangered.

The motion was put, and negatived without a division.

Cruelty to Dogs.] Mr. R. Martin moved for leave to bring in a bill "to prevent the cruel and improper Treatment of Dogs."

Sir *M. W. Ridley* opposed the motion. The House, he said, had already rejected a motion to prevent cruelty to domestic animals, dogs of course included, and therefore they could not, consistently, support the present motion.

Mr. *Hume* expressed a hope, that the hon. member would include cats in his bill. It was well known that cats were worried by dogs, and were, therefore, entitled to equal protection. Speaking seriously, he thought the House by admitting this bill for the protection of dogs, without including cats, would act inconsistently; and that by admitting it at all, they would turn legislation into ridicule. He would submit it to the House, whether it should not endeavour to preserve itself from the ridicule which these legislative measures would cast upon it.

Mr. *Martin* said, he would make only one observation, and that was, that the hon. member for Montrose had promised him his support to the bill.

Mr. *Hume* said, that to the best of his knowledge, he had never made such a promise.

Mr. *Martin*. Then you did it without your knowledge.

Mr. Secretary *Peel* said, he would oppose the present motion of his hon. friend, on the same ground that influenced his opposition to the last. He believed there was more injury done to the cause which his hon. friend wished to support, by the manner in which he brought forward the subject, than by any other circumstance. He would recommend his hon. friend to recollect, and act upon the advice of the hon. and learned member for Knaresborough, given on a former occasion; namely, to let public opinion and the acts of individuals remedy the evil complained of. Now, without wishing to be otherwise than serious, he could not help concurring in the remark, that if the House were to legislate for dogs, there was no reason why other animals ought not to be equally protected. We were now about to clear the Statute-book of an immense number of laws; but, if such measures as the one now proposed were adopted, it would be working at the web of Penelope, and the labour would be interminable. He, therefore, trusted, that his hon. friend would withdraw his motion.

Mr. *W. Smith* opposed the motion, though he thought it desirable that acts of cruelty should be punished as misdemeanours.

Mr. *Martin* defended the motion and himself against the ridicule which had been directed towards both. When he brought in a bill three years ago to prevent cruelty to animals, a noble lord who took the lead in the other House told him, that if it included dogs he would support it. He saw no reason why cattle should be protected, and, at the same time, that an animal so attached to man, as to be called the friend of man, should go unprotected. The cruelties practised on dogs were frequent and notorious. One instance occurred at Oxford, which, on account of its atrocity, deserved to be mentioned. He alluded to the act of a miscreant who sawed off a part of his dog's jaw because he thought it too long. Another case, communicated to him by Mr. Hall, the magistrate of Bow-street, was, that of two boys, who flayed a dog alive; after which, one of them led him upwards of two miles, and would have gone much further, had not a gentleman thrown him and the dog into a river. Notwithstanding the mirth it had excited, he saw no reason why cats should not be protected against cruelty, and he thought it was not very creditable to the hon. member for Montrose to attempt to throw ridicule upon the subject. He had already informed the House that the hon. member had promised him his support. He had now to communicate that hon. gentleman's reason for having, on the contrary, opposed his motion—"Because," said the hon. member for Montrose, "you did not vote against flogging in the army." He thought the House was bound, in consistency, after the support they had given to previous measures, not to oppose the bringing in of the bill.

Mr. *J. Benett* said, he lamented much the difficulty there was in legislating upon such matters. It would be very desirable if some measure could be contrived that would be more general in its operation. He should be ready to give his support to any bill which had for its object to prevent such a brutal exhibition as that of dog-fighting.

Sir *F. Burdett* said, that the public were much indebted to the hon. member for his exertions. Great good had been derived from the measures brought in by him for the purpose of preventing cruelty to animals. No one could hear the cases mentioned by him of brutal treatment to dogs without shuddering. He could not comprehend how such acts could pass without punishment. It appeared to him that they were punishable at common law, as being contra bonos mores. He thought the best way would be to allow his hon. friend to bring in the bill. The evils against which it was directed were of more importance than many persons might suppose, and it was desirable that some remedy should be provided. If a remedy were possible, he did not see how any member could withhold his assent to a measure calculated to effect it. If leave was given to bring in the bill, it should have his support. It was, in his view of the subject, calculated to act more beneficially on society than the House was aware.

Sir *T. Acland* said, he did not think it the most advisable course to bring in, year after year, separate acts of this kind. The hon. mover had produced two instances of cruelty towards dogs, and said he could produce hundreds of cases of cruelty towards cats; yet the former he protected, and the latter he left without protection. He could not help thinking, with the hon. member for Norwich, that all cases of excessive cruelty might be fairly left to a British jury, as the law now stood.

Mr. *Martin* expressed his readiness to withdraw the present bill; but stated, that he would on a future day, introduce a measure of a more comprehensive nature.

Mr. *Peel* observed, that while he felt as much as any man the justice of the principle on which his hon. friend proceeded, he much approved of his determination to withdraw this bill. Still, he must guard himself from being supposed, from the course which he took on this occasion, to say one word in favour of a more extensive measure, of which his hon. friend had given notice; and of which he could, of course, know nothing.

The motion was withdrawn.

HOUSE OF LORDS.

Friday, April 21.

CATHOLIC ASSOCIATION.] Lord *King* rose to present a petition to their lordships from the Catholic Association, though he believed he must not call it by that name. He would say, then, that it was a petition from the ghost of that Association; and he believed the ghost would be found quite as terrific as the Association itself in its material form. The ghost was not yet laid, in spite of the exertions of all the right reverend prelates opposite, who were so powerful at laying ghosts, even though they had been zealously supported by the noble and learned lord. The petitioners complained of the great abuses which existed in the corporate towns of Ireland. He could state, not from the petition, but from the evidence given on oath before their lordships, that abuses—flagrant abuses—did exist. From that evidence it appeared, that the provost of Tralee was in the habit of taking particular sums of money for giving bail. For a capital felony he charged ten guineas; for a minor offence the charge was five. It appeared in evidence, also, that if the magistrate was convicted of such offences, he was not displaced; if prosecuted on a criminal indictment, the magistrate was not dispossessed. There were other abuses in these corporations. Between thirty and forty years ago, the Catholics were by law, permitted to belong to the corporation of Dublin, but in fact they were always kept out of it. He had, last year, presented a petition from an individual who had undoubtedly a right to enter this corporation, but who, being a Catholic, was rejected. Another person had obtained a mandamus, but he died. The Catholics were not permitted to be magistrates in any corporate towns in Ireland. They could neither be mayors, sheriffs, nor common-council-men. The petitioners wished to see the monopoly of the corporate bodies done away; but fearing that their lordships would not go along with them they prayed that their lordships would take some measures to rectify the abuses complained of. The petition was then read, and appeared to be from certain Catholics in Ireland.

The Earl of *Limerick* said, that in the city of Limerick there was a Catholic gentleman a magistrate.

Lord *King* said, that by the new rules in all the large corporate towns no Catholic could be either a mayor, a sheriff, or common-council-man.

The Earl of *Limerick* said, that the individual in question, a Mr. Roche, had been made a magistrate of Limerick by the government, under authority of a special act of parliament passed for the purpose of remedying the abuses of that corporation.

Lord *Clifden* said, that Catholics were excluded from the corporation of Dublin. He reminded their lordships that he had predicted that they could never put down the Catholic Association. That Association spoke the sentiments of one fifth of the population, having a common object; and they were no more to be put down, except by removing from the Statute-book the last remnant of those laws which were a disgrace to it, than the sun was to be stopped in its course. He reminded their lordships of what had passed in Ireland in 1782, and predicted, that if they went on, year after year, denying the Catholic claims, a time of difficulty would come, when those Catholics would extort from fear what was denied to justice.

HOUSE OF COMMONS.

Friday, April 21.

Licensed Victuallers.] Mr. *Hobhouse* presented a petition from the Licensed Victuallers of St. James's Westminster, complaining of the present system of closing public-houses at night. According to the existing law, the magistrates had the power of punishing publicans for keeping their houses open at what were called "unseasonable hours," the definition of which they themselves had to decide upon. It was a great hardship that, under that regulation, publicans were liable to be punished, upon the statement of a common informer, without having any riot or disturbance in their houses. Tradesmen in general were unable to leave there business before ten or eleven at night, and it was too bad that they should be deprived of that fair recreation which they were in the habit of indulging in the parlours of public-houses. The publicans had no objection to clearing their tap-rooms, the place most likely to be visited by idle or disorderly persons, at the prescribed hour; but it was a hardship to close their doors and empty their parlours at that time. And to this they were subject; while oyster-shops, coffee-shops, saloons, and other disorderly places, were allowed to remain open all night. If the present system was persevered in, it would ruin the best part of the trade.

Mr. *Estcourt* said, that the hon. member must be aware, that some such regulation as the present was necessary to preserve the quiet of the community; besides, there was, in those cases, an exception in favour of travellers. In the present state of the session, it would be ridiculous to think of carrying such an effective bill upon this subject as ought to be placed upon the Statute-book. He should therefore proceed no further with his measure this year. The most advisable course would be, to bring in a short bill to continue the present law for another year, and in the next session to make a new law altogether.

Mr. *Hobhouse* regretted, that the hon. member did not mean to press his bill. As to the petitioners, they were anxious to be placed more under the inspection of their respectable neighbours, and less at the mercy of common informers.

Court of Chancery—Delay in Taxation of Costs.] Mr. *Sykes* said, that he held in his hand a petition on an interesting and important subject; namely, the abuses of the court of Chancery. Though he would not adopt the energetic language of his hon. friend on a former night, when he stated that the court of Chancery was a curse to the country, he would assert, that he thought its administration any thing but a blessing. He meant nothing personal to the learned lord who presided there; but complaints of suffering and abuses came from so many parts of the country, that he might go so far as to say, that the court of Chancery was a nuisance, and that, like other nuisances, it ought to be abated. The petition with which he was intrusted, was not from a suitor of the court, but from an individual who had, for twenty-five years, faithfully and honourably discharged his duties as a solicitor, and to whose character he could personally bear testimony. The petition was almost as prolix as a bill in Chancery, but the substance might be more briefly stated. The petitioner had been engaged in a lunatic commission, and the gravamen of his complaint was, that although his bill of costs, as long since as 1814, had been taxed allowed, and actually paid, yet, that in 1826, it had been again opened by a proceeding in Chancery. His clerk was dead, his documents dispersed, but receiving the order of the court, he had hastened to town, and consented to the re-taxation: day after day, and week after week, he had attended, and the result was, that only 3*s*. 6*d*. was deducted from the sum allowed in 1814. He had left his home and his business, to his great inconvenience and loss: indeed, the proceedings had been so wearisome and expensive, that he ultimately abandoned the suit, gave his opponents their own way, and returned into the country totally ruined. The petition, which was from Mr. Garland, a solicitor, in Kingston upon Hull, was then brought up, and read. It prayed, that the House would give such assistance to the petitioner as to them, under the circumstances, should seem meet; and that the Report of the Chancery commissioners should speedily be taken into consideration.

The *Solicitor General* stated, that the petition had been communicated to him, and that he had in consequence made inquiries into the circumstances of this case. He thought no clear case was made out, even on the petitioner's own shewing; but this he thought was clear, that there existed a systematic attempt to hunt down the lord chancellor. The hon. member for Montrose came with a petition, complaining of a bill of foreclose, and pronounced the Chancery, and the lord chancellor, to be a curse to the country; and then came the hon. member for Hull with a petition, complaining of the issuing of a taxation of costs, upon the same system of running down the lord chancellor. The petition was a long one, but did not shew a very favourable case. However, the real state of the case was this: the petitioner, an attorney, sued out a commission of lunacy, and acted for a committee and the next of kin; and had got a considerable sum of money in his hands. He took a bond besides for the payment of costs at a particular rate, and this bond was illegal, for it was illegal for a solicitor to take any bonds from his clients for the payment of a larger sum in the way of costs than was allowed by the rules of the court. He had got his costs taxed, and they had been allowed without opposition, because one of the parties had become bankrupt, and there was no opposing party to check them. The costs had been therefore improperly taxed; and then a few years after there came a petition from the next of kin, stating these matters, and that the petitioners had charged for copies of papers which he had never made. What was the lord chancellor to do under such circumstances? He acted in the manner which even the

Chancery report recommended in cases of solicitors acting for both parties. The chancellor found that the costs had been taxed unfairly; he did not wish to use a harsher term; and, if unfairly taxed, then the lord chancellor was bound, on principles of public policy, to open the taxation. This, then, was the description of cases which were supposed to justify calling the Chancery and the lord chancellor a curse. A solicitor acted for both parties; he got an undue allowance; and then the lord chancellor was to be blamed for opening the taxation. He was astonished that any solicitor should have presented such a petition, and still more astonished at the hon. member, when he said that it could admit of no answer. Surely the hon. member had not read the petition, which contained an answer on the face of it. The lord chancellor would not have done his duty if he had not sent these costs to be taxed again. This explanation he thought himself bound to give to the House, having been enabled to do so by the communication made to him of the contents of this petition. He had examined the case, and he had no hesitation in saying, that it was part of the system of hunting down the lord chancellor.

Mr. *Hume* said, he would take that opportunity of stating, that, after having had time for consideration, he was still of the same opinion as before, with respect to the court of Chancery. Such an opinion he thought himself justified in entertaining and expressing, of a system, by which justice was in effect denied to millions, and the severest mental torture inflicted; and he called upon those who had exerted themselves so zealously in opposition to the infliction of bodily torture, to do every thing in their power to put down this dreadful nuisance. This, which was called a court of equity, was, in fact, a court of iniquity. The hon. and learned gentleman said, that a "few" years after the costs had been taxed, the taxation had been opened. How many of these "few" years did the hon. and learned gentleman expect to have in his life? The hon. and learned gentleman thought twelve years a very moderate time, parliament ought certainly to put an end to such a method of proceeding. When the matter was formerly under consideration, the hon. member for Surrey, and others, had held out the Chancery and the lord chancellor as blessings to the country; but God preserve him from such blessings! He wished the hon. member for Surrey had been present at the presenting of this petition, that it might be seen whether he adhered to his former sentiments. This was said to be a court of equity, established to temper the rigour of the law. But if it was a court into which, if one entered, the suitor had little chance of leaving it during his life—if it was a court of hope deferred—of anxious expectation—of mental despair—could it justly be called a court of equity, or of justice? Was it not rather a court of injustice? The injustice of the grand seignor was not half so galling. The injustice there was at least speedy, and inflicted death without torture; the injustice of the court of Chancery was death with lingering torture. It had been said, that he, as well as others, had their share of the blame. He denied that any part of it belonged to him. Had he not always supported motions for a reform of these abuses, when the hon. member for Surrey and the ministers had opposed such motions? He maintained, that such a charge was unfounded; and that no man had a right to make such a charge against him when he had voted for inquiries which they had opposed. If they looked at the report on the table, they would find that a sum of about thirty-nine millions sterling lay locked up in the court of Chancery—a pretty nest egg for the chancellor of the Exchequer, or his successors. The sum belonging to the suitors had greatly accumulated within no very long period of years, and was now no less than the sum he had stated; and what a mass of good would have been done, if such an immense sum as this had been distributed to the parties? But he believed it would never be liberated by the present chancellor. He repeated that, under the semblance of justice, delay and anxiety were the characteristics of that court. He insisted, that he was right in saying, the other night, that the court was a curse to the country; and, considering that no material reform had taken place in the long period of a quarter of a century, he could not separate from the individual what he had said of the court; and it would be better that the court should be abolished entirely, than that it should remain what it was. There was no man who had any thing to do, as a suitor, with that court, but would agree with him, that it was a vexation and a misery to the country.

Mr. *Green* said, he heard with pain the personal remarks which had been made on the lord chancellor, and considered it an unjustifiable use of the privileges of that House to drag, needlessly, as he conceived, the name of an individual who filled a high public office, into their discussions.

Mr. *Sykes* asked whether the hon. and learned gentleman really thought that he had made out no case? The hon. and learned gentleman said, that the costs had been improperly taxed. How did that appear? They were taxed in the usual mode of the court; and what else could be called a fair and proper taxation? Then it was said that the petitioner had been solicitor for opposite parties. He denied it. He had been solicitor for two parties, but not for opposite parties. This was quite common in the practice of the court; and he understood that the Chancery report now on the table permitted it. Then the hon. and learned gentleman said that it was only in a few years after the costs had been taxed, that the taxation had been opened. Was a period of twelve years so little thought of in the court of Chancery? It appeared that they reckoned there, not by years, but by generations! Nothing under twenty, thirty, or forty years, was worth consideration. He contended that no sufficient answer had been given to the petition.

The *Solicitor-General* said, that the petitioner admitted, on the face of his petition, that he had made illegal charges; that he had charged for copies which he had never delivered. He was astonished that such a petition should have been presented, and still more astonished that it should have been presented by the hon. member. The hon. member had adverted to the expression of a few years; but it was not till a lapse of ten years after the transaction, that there existed any free agent to apply for opening the taxation. Even in the law courts, although costs had been regularly taxed, yet, if it appeared afterwards that the taxation had been illegal, that taxation would be opened. This power in the courts was absolutely necessary, in order to their having a proper control over agents and solicitors. So that, even on the face of his own petition, the petitioner had made out no case.

Ordered to lie on the table.

PROCLAMATIONS—IRISH NEWSPAPERS.] On the reading of the resolution of the committee of supply, "That a sum, not exceeding 6,000*l*., be granted to his Majesty, to defray the expense of publishing Proclamations and other matters of a public nature in the Dublin Gazette and other Newspapers in Ireland, for the year 1826; and that the said sum be issued and paid without any fee or other deduction whatsoever,"

Mr. *Hume* said, that he had long been endeavouring to persuade the House to pay attention to the description of vote called for in this instance. In his view of the case, it was partly intended to bribe the public papers in Ireland. He had lately moved for a return of the sums allowed to the different papers in Ireland; and the conclusion might naturally be, that the largest sums for proclamations and advertisements would be allowed to the papers of greatest circulation. No such thing. It appeared, that the "Patriot" had been established by Mr. Wellesley Pole, when Irish secretary, to oppose the "Correspondent," then an opposition paper; and that 1,200*l*. of this money had been given to the "Patriot." A reduction having since taken place to 900*l*. Soon after the "Correspondent" turned, and received 7 or 800*l*.; so that the "Correspondent" and "Patriot" had about 2,000*l*. of this money between them. These and other papers received money, not according to the business done, but for inserting news from the London papers, and from the Gazette. In 1819, 519*l*. was charged by one paper for inserting news from the Gazette; and in some of the papers proclamations were inserted, fifteen, sixteen, or twenty times. He was, however, informed, that lately they had not been inserted more than three times in any one paper. In looking at the printed papers, it would appear that the sums had been made up to the papers to much the same amount in each year. It appeared that money was paid to papers in the names of members of parliament; for 130*l*. had been paid to sir Robert Shaw, a member of that House, for the "Kerry Evening Post." The regular bargain seemed to be, that, as long as the paper supported the government, the usual sum would be made up to it, in some way or another. In the year 1822, all the papers, however, appeared to have received one fifth more than they had received since. He then stated several instances in which papers of small circulation had received considerable sums; others, of great circulation, received in some years little, and in other years nothing. While "The Dublin Evening Mail," having a circulation of 395,500 stamps—a circulation far exceeding that of any other paper in Ireland—had received only a few pounds from the proclamation money; the "Correspondent" and, "Patriot," which, together circulated only 145,000 stamps, had received at the same time 1,200*l.* Then, he observed, that the public boards employed the government papers for the insertion of their advertisements, and no other papers. He should be able to prove, if he were allowed to go into a committee on the subject, that the present secretary for Ireland, on the reduction of the sum allowed for proclamations, had been obliged to apply to the commissioners for widening the streets of Dublin, to make up the usual sums for the papers, according to contract; and he also thought he could prove that the master in Chancery behind the Treasury bench, made it a point to insert his advertisements in the government papers, although of small circulation, and in no others. The street commisssioners had, for a considerable time, given them large sums in aid of the government supplies. He would take the sense of the House on this resolution, unless it could be shown that there was something particular in the government of Ireland, and that it could not be carried on without this sort of support.

Sir *J. Newport* suggested that the whole difficulty respecting this question might be obviated, if the duty on advertisements was relinquished, and the papers compelled to insert the government advertisements gratuitously. At present, the object of publicity was defeated by the practice of giving those advertisements to the papers which had the least circulation.

Mr. *Goulburn* said, he should detain the House with only a few observations; but he trusted they would be quite conclusive. The hon. gentleman had never dealt more unfairly towards any individual, than he had that evening towards him. What was the charge against him? That he had been guilty of bribing the press of Ireland. On what did the hon. gentleman found his arguments in support of this charge? Principally on a paper laid before the House in 1819, long before he had any connection with the Irish government. Another evidence of the unfairness of the hon. gentleman was, that he had taken the amount of the circulation of the Irish papers from a return made during the present year, while the return of the sums expended for advertisements was obtained in 1819. The hon. gentleman recommended the Irish government to have recourse to the English practice. The custom in this country was, to appropriate 50*l.* to the issue of each proclamation. If that course had been followed in Ireland, the charges during the last year would have been 9,500*l.*, instead of being, as they were, only 6,000*l.*; though the hon. gentleman had, in the spirit of exaggeration, stated them to be 7,000*l.* From that sum of 6,000*l.* the expenses of the Gazette, amounting to 2,000*l.*, ought to be deducted. The whole charge, therefore, was for the present year only 4,000*l.*, and the same sum, it was estimated, would be sufficient for the next. With respect to the characters of the different newspapers, he confessed he was not competent to enter into the consideration of the petty details relative to their management. If the hon. gentleman had as many important duties to perform as he had when he was in Ireland, he would find his time much better occupied than in deciding on the comparative merits of newspapers. For what purpose could he be supposed to be guilty of bribing the Irish press? The frequency of the attacks on him personally was, he thought, the best proof that he did not interfere to stifle the free expression of opinion. He declared that he was entirely ignorant of the politics of the Irish newspapers. He knew not whether "The Mail" or "The Herald" was friendly to government. But the hon. member had gone the length of asserting, that money had been paid to members of parliament corruptly, on account of these papers. He had stated, that money had, in this manner, been paid to sir Robert Shaw on account of "The Kerry Evening Post." It would be enough to explain this transaction, if he told the House, that the Kerry Evening Post was a country paper; and that sir Robert Shaw, who was a banker of Dublin, had, as agent of the newspaper, merely received the amount of a bill due to it. He would assure the hon. gentleman, that if he was liable to be deceived into an improper expenditure in favour of some of these Irish papers, the hon. gentleman was much more liable to be deceived by those who, as he had alleged, had given him information which it was their duty to have withheld. He would advise the hon. gentleman to be cautious how he received information, and charged corruption, on the authority of persons who, even if they spoke truth, betrayed their trust.

Mr. *T. Ellis* repelled the imputation, that the masters in Chancery in Ireland gave their advertisements unfairly to particular papers. On a former occasion, he had told the hon. gentleman, that his informants were guilty of wilful misrepresentation. He repeated that assertion, and he challenged the hon. gentleman to support his statements by proof. When he first came into office, he found that, twenty years ago, certain papers had been selected by the four masters, as the most fitting for their advertisements. It was for the interest of the suitors that the same papers should always be used, as by following that course, the public knew where to look for notices of that nature. One of these papers was "Saunders's Newsletter," a paper almost exclusively devoted to advertisements, and circulating principally in the city of Dublin. No political feeling could have led to the selection of this paper, as it was a singular feature in it, that it had no politics at all. "The Correspondent" was another paper comprised in this selection. The circulation of that paper was 300,000, the maximum of the Irish papers being 334,000. Twenty years ago, when the selection was made, it had the greatest circulation in Ireland. No statement, therefore, could be more unfounded, than that the masters had been guided by political feelings in the distribution of their advertisements. Another fact stated by the hon. gentleman opposite, he was prepared to contradict as unequivocally. He alluded to the alleged contract between government and the Wide-street Board, by which the latter had agreed to supply to particular papers the deficiency of what the former disbursed in advertisements. He was one of the commissioners of that Board, and it was impossible that any such contract could have been made without his knowledge; and he therefore could tell the hon. gentleman again, that his informants had been guilty of wilful misrepresentation. The expenses of the Wide-street Board had diminished one-half during the very time when this contract was stated to have been in operation.

Mr. *Hume*, in explanation, stated, that he had not derived any part of his information respecting the Irish Newspapers from anonymous information, but from the official returns to that House, which were then lying on the table. He found that it was not a Kerry paper, but the "Cork Advertiser," on account of which the payment had been made to sir R. Shaw; but, he repeated, the account was made out in that hon. baronet's name.

The House divided on the resolution: Ayes 40; Noes 18; Majority 22.

CHURCH RATES (IRELAND) BILL.] Mr. Goulburn moved the order of the day for the House resolving itself into a committee on the Irish Church Rates' bill. On the question, that the Speaker do now leave the chair,

Mr. *Spring Rice* said, that, before he submitted the motion of which he had given notice, he was anxious to remove some misconceptions which prevailed as to the true nature of the object he had in view. It was erroneously conceived by some persons, that he proposed to make it imperative on vestries to assess the respective parishes for the expenses of building Roman Catholic chapels; such was not the case. It was also stated that he wished to make some new and daring alteration.—Both suppositions were untrue. In fact, he proposed no novelty, but rather to legalize a practice which had, in some instances, been already resorted to. The proceedings in vestries had generally been of a very loose description; some of the items, as detailed in the parochial returns presented to the House were not only unwarranted by law, but in direct violation of legislative enactment; whilst others were of a very ludicrous description. In one case, a charge had been made on the parish for the expense of a suit of robes for a favourite rector, who had received preferment, and it was deemed fitting to present him with robes suitable to his doctor's degree, and this at the expense of the parish. If he understood rightly the object of the right hon. gentleman (Mr. Goulburn) in introducing the bill now before the House, it was to introduce a legal mode of proceeding in vestries, and to prevent them from raising money not strictly warranted by law. Now it so happened, that hitherto, although many improper assessments had been made, there were others, which, though not strictly legal, were still justified by good fellowship and christian feel-

and in no country more than in Ireland was it desirable that such a feeling should be encouraged. Of this class were the sums voted for enlarging and repairing Catholic and Presbyterian places of worship. If the bill of the right hon. gentleman passed without the introduction of some such clause as he intended to propose it would be quite out of the power of vestries to repeat in future such praise-worthy conduct. The House should bear in mind that the vestries in Ireland were composed exclusively of Protestants. The inheritors of the soil were also, to a great extent, Protestants; whilst the payers of the church-rates were nearly all Roman Catholics. At these vestries large sums were voted for the erection and repairs of the Protestant churches; and it often happened that the first intimation which the Catholic received of these assessments was from the tax collector. He trusted the House would not be lightly induced, by agreeing to the bill in its present state, to put an end to the system which had so long prevailed, and in consequence of which, in instances too numerous to be specified, the Protestant vestries of that country had come to the aid of their Roman Catholic brethren. He would not detain the House by reading from a list which he held in his hand many of those instances: they were in the knowledge of all who were acquainted with that country. Several of them had occurred in parishes which were under the immediate superintendence of the Protestant bishops; a circumstance highly to the praise of the Protestant hierarchy, as exhibiting their enlarged and benevolent views. There was one peculiar instance, however, to which he particularly wished to call the attention of the House, because it put the whole case in so clear and palpable a light, that it tended to support his proposition better than any argument which he could advance for that purpose. It appeared that, in a parish in the diocese of Dromore, the sum of 130*l*. had been voted at the Protestant vestry, without a dissenting voice, for the repair of the meeting-house and chapel, which was stated to be "as a return for the liberality that had been evinced by the Roman Catholic parishioners towards the Protestant church." If the House felt that such an act, so performed, was calculated to do great good, by conciliating the great mass of the people, he trusted they would not hesitate to agree to a clause which went, not to introduce any novelty, but simply to continue a practice which had long been in existence, and from which nothing but good could follow. He could not conceive that any one could be adverse to the encouragement of religious instruction and worship in Ireland. He certainly wished that the condition of society in Ireland were such, that there might be but one description of place of worship, and one ritual for the whole community; but as that was not the case, he maintained that the State had a deep interest in the religious instruction of all the various classes of which the existing community was actually composed. Closely connected as that instruction was with the morals, with the political relations, and with the well-being of society, he could scarcely believe that that House would refuse to accede to any proposition by which its blessings might be diffused. To those who had seen Ireland—who, like himself, had seen the numerous Protestant places of worship in that country, raised at great expense, and frequently for the benefit of a very few only, and the adjoining miserable and wretched hovel, incapable of containing a tenth part of the Catholic population of the parish, the far greater part of whom were consequently compelled to kneel and perform their devotions on the outside, exposed to all the inclemencies of the weather,—to those who had witnessed such scenes, it could hardly be necessary for him to urge the expediency of not putting an end to a system by which the evil was in many cases materially diminished. The proposition which he was about to take the liberty of making, was merely to continue to the Protestant vestries of Ireland the means which they had hitherto possessed of exercising their bounty, liberality, and benevolence towards their Catholic brethren. It introduced no novelty—it gave no right. If, however, the clause that he was about to propose, should be rejected, he gave notice, that in the progress of the bill he should move another clause, providing that the amount of church-rates should be thrown, as tithes were thrown by the Tithe-bill, as a charge on the lessor of the land. The hon. gentleman concluded by moving, "that it be an instruction to the committee to receive a clause empowering the Protestant parishioners, in vestry assembled, to assess their respective parishes in certain limited sums towards the building, enlarging, and repairing Presbyterian meeting-houses and Roman Catholic chapels."

Mr. *Goulburn* said, that he would omit to notice any of the other considerations which pressed upon his mind, not because they were unimportant, but because the hon. gentleman had put them out of the question, and would confine himself to the single point of the power which ought or ought not to be given to the Protestant vestries of Ireland, in the terms comprehended in the proposed instruction. The hon. gentleman had said, that the present bill had grown out of a wish to repress the variety of assessments by Protestant vestries—assessments which had extended to objects which were not contemplated by the existing law. Undoubtedly, it was to correct this evil, which went to an extent demanding the interposition of parliament, that the present bill was introduced, and introduced, as he had thought, with the unanimous concurrence of all who were acquainted with the merits of the subject. It was a measure which was in a great degree founded on the recommendation of the committee on Irish affairs, which sat during the last session; and it merely limited the province of the vestry to those objects which they were legally entitled to assess for. The hon. member appeared anxious to impress upon the House that the bill tended to introduce a new practice, and that, if passed, it would take away the power which the Protestant vestries at present possessed of assessing for the repair of Roman Catholic chapels. But that was by no means the case. Whatever power the Protestant vestries possessed now they would possess after the bill had passed into a law. To make a compulsory assessment on the parish for the building or repair of a Roman Catholic chapel was at present illegal; and so it would remain after the passing of the bill. The bill would throw no obstacle in the way of any Protestant who might like to contribute to the building or repair of a Roman Catholic chapel, or a Presbyterian meeting-house. He might still yield whatever aid of that description he thought proper to afford. To the assessment for such a purpose by the majority of a Protestant vestry he objected; because, instead of being liberal themselves, it only gave them the power of being liberal at the expense of other persons. They did not contribute out of their own pockets, but they assessed a body of unwilling parishioners, for a purpose, in the furtherance of which it was not improbable that interested motives occasionally mingled. The vestry might be unanimous; but who could tell what were the feelings of the poor parishioners, who were compulsorily assessed, and who, perhaps, had their goods distrained and their cattle impounded, because they were ignorant that the law would give them redress on that subject, even against the unanimous opinion of a Protestant vestry? He concurred with the hon. gentleman, that the existence of one faith, of an universal ritual in Ireland, was a consummation devoutly to be wished. But as that was not the case, if the Protestants were called upon to repair the Roman Catholic chapels, why might they not be called upon with equal propriety to pay the priests, without whom no service could be performed in those chapels? Why not call upon them, through the medium of vestries, for other purposes? Why not call upon them, for instance, to contribute to Bible societies? We had no right to give power to the majority of a vestry to tax the parishioners for one object, when the parishioners might think that the money so taken from them ought to be applied to another object. In some parishes, the continuance of the existing practice might not do any harm; but in others it would be productive of considerable evil. Would any man say, that if the proposed clause were introduced into the bill, although it merely gave the vestries the power to assess for the purposes described, a refusal to exercise that power might not, in many cases, be followed by serious consequences? Would it not be said to them, that by adopting that clause parliament had pointed out to them what it was expected they should do? Was that a situation in which the vestries ought to be placed? He objected to the principle of the clause proposed by the hon. gentleman. He was perfectly willing that every individual should exercise his own discretion, and pay what he chose towards the objects in question; but he objected, and he should ever object, to enable the majority of a vestry to lay a compulsory tax on a parish, opposed to the views of the minority of the vestry, and perhaps to that of the whole body of the parishioners.

Sir *J. Newport* adverted to the extraordinary inequality of the treatment which the Catholics and the Protestants received at the hands of his majesty's government. The clause proposed by his hon. friend went only to permit the Protestant vestries to assess for assisting in the building and repair of Catholic chapels, and it was objected to; while the Catholics throughout Ireland were constantly called upon to contribute largely to the support of the most wealthy church establishment in the world. That the purpose, however, which the clause went to recognize was acknowledged to be advantageous, as far as its frequent practice established that acknowledgment, his hon. friend had adduced various facts to show. He would add another. The view which one of the Irish bishops took of the way in which the power given to the vestries ought to be exercised, was shown by the fact of the sums assessed by his parish in three successive years. In the first year they assessed 300*l.* for the repairs of the cathedral, and 20*l.* for the repairs of the chapel; in the second year, 200*l.* for the repairs of the cathedral, and 40*l.* for the repairs of the chapel; and in the third year, 300*l.* for the repairs of the cathedral, and 50*l.* for the repairs of the chapel. The inference distinctly was, that these assessments were approved by the bishop. Now, the bill which the right hon. Secretary had introduced, would do away the possibility of any such assistance being granted to the Catholics henceforward. The right hon. gentleman objected to the parish vestries taxing the Protestant parishioners for the repair of the Catholic and Presbyterian places of worship; but he did not see any objection to the parish vestries taxing the Catholics and Presbyterians for the repair of the Protestant places of worship. He was so good, however, as to tell the House that he was not disposed to prevent the private subscriptions of benevolent individuals, for the assistance of the Catholics, in the repair of their chapels. The wonder was, that the right hon. gentleman's bill did not prevent such subscriptions! The wonder was, that in his wisdom, the right hon. gentleman did not point out to the various noblemen and gentlemen who exercised their bounty in the aid and relief of the unfortunate Catholics, that the course which they pursued was an unjustifiable one! They were really much obliged to the right hon. gentleman for his forbearance! When it was considered that the vestries imposed taxes on the Catholic population for the very ornaments of the Protestant churches, as well as for the houses of the clerks, sextons, &c., was it too much to allow the Protestant parishioners to give a small share of their opulence to their poor Catholic brethren? If the right hon. gentleman had ever seen the miserable manner in which the Catholic population in some parts of Ireland were compelled, although with as much sincerity as the Protestants in their splendid churches, to offer their devotions to the common Deity, he surely would not grudge the means of affording them the accommodation which was so loudly called for. His hon. friend's proposition had his most hearty assent; and if it should fail to meet with the concurrence of parliament, he should warmly support his hon. friend's other clause to make the payment of these taxes obligatory on the proprietors of the land, and not on the tenants.

Sir *R. H. Inglis* objected to the measure of his right hon. friend, the Secretary for Ireland, because it compelled the House to decide upon two such propositions as the clause now brought forward, and that relative to an assessment for the poor, of which notice had been given. He admitted, as he had done on a former occasion, that there were great legal irregularities in the expenditure of the church-rates in Ireland; but he contended that these irregularities were not of a nature or an amount to justify legislative interference. In respect to the assessment upon land by a Protestant vestry, for the support of a Roman Catholic chapel or dissenting meeting-house, he had shown, on a former occasion, repeated instances of the willingness of the Protestants of Ireland to exceed the law for the benefit of their Roman Catholic and dissenting neighbours, and he had no objection to such exercise of their benevolence, so long as it could not be claimed under any law; but, though he would not pass a law forbidding it, and though he could not, therefore, concur in the bill itself, because he thought that it fettered unnecessarily the parishes of Ireland,—certainly took away the discretion which they had hitherto exercised in a way calculated to increase general good feeling,—he would not, on the other hand, make himself a party to legalizing the erection of a Roman Catholic chapel by an assessment which would be compulsory on the Protestant minority in a parish. The clause, if carried, would take away all the grace and all the usefulness of the liberality now exercised; and, indeed, would soon render that liberality very little gratuitous; for if, when the Protestant vestry were assembled in their room, the Roman Catholic inhabitants, with their priest at their head, could come to the door, and, under this act, ask them to exercise the power which the law would then give them, of assessing the parish for the service of the Roman Catholic chapel, it was not difficult to see that, in many instances, that which is now the indulgence of a kind and benevolent feeling towards their Roman Catholic brethren, would become a measure of compulsion. At present it is gratuitous kindness, because no man need pay the assessment: he knows that it is illegal, and he may resist it accordingly by an appeal to the proper tribunal; but the charm would be gone by the adoption of the proposed clause. He could never, therefore, give his consent to it. In respect to the other clause to be brought up by his hon. friend, the member for the county of Wicklow, for enabling parishes to assess themselves for the relief of the poor, he felt almost as much the evil of compelling the House to decide upon it. The practice prevailed in Ireland to an extent which showed how cautiously the House ought to proceed in the matter. The bill of his right hon. friend (Mr. Goulburn) defined too closely the limits within which only the church-rates should be applied; if he had pointed out any corruption in the application, or had showed any want of due power, or of will on the part of the constituted tribunals, to redress that corruption, he would have made out a case for the interference of the legislature. His right hon. friend had said, that he thought that all parties had concurred in the expediency of the alteration, and therefore he brought forward his bill. He, for one, considered that little, if any thing, ought to have been done. The evils were so slight, and partook so little of corruption, that they might safely have been left since they cannot be rooted out, without endangering much that is good by the clause now proposed, either a legal existence was given to an assessment upon land for the relief of the poor, or by the bill, without it, the system actually adopted in a very great degree was destroyed, and distress and inconvenience were thrown upon parishes. He had examined the returns upon the table from a large part of Ireland; from the whole of the province of Armagh, which is more than coincident with the civil division of Ulster; and which contains about two-fifths of the benefices of Ireland. He had looked over these details of nearly 400 parishes, extending over a period of twelve years, and he could say, that a very large majority of them contained items which, in England, would be found in a poor's-rates only. This was the practice, a practice which never could be carried to any excessive and grievous extent, because, after all, being illegal, and being defrayed by voluntary assessment, it could be resisted by any one. Now, he complained that the bill before the House compelled the House to decide whether they should, by adopting the clause, legalise the introduction of something like a system of English poor-laws; or, by rejecting it, and passing the bill in its present state, limiting so closely the powers of parishes to assess themselves, deprive them, in an immense proportion, of a discretion which they have hitherto exercised. He would not now enter into the general question of the introduction of this system; but he regretted that the House was thus indirectly called upon to decide one of the greatest questions in political economy, and one of the most vital importance in its application to the state of Ireland. He would reserve himself for this matter till the clause came regularly before the House. He would only say that, if he were compelled to give a vote upon this matter, it should be in favour of that clause, which confirmed to parishes the option which they had hitherto exercised, of assessing themselves for the relief of their poor; but he should greatly prefer leaving the system, as it now stands, in its purely voluntary, and therefore most healthy, operation. He had great objections to the bill of his right hon. friend. It proceeded upon the assumption that great evils existed under the present system, and therefore it affected a corresponding change. The proof of those evils, as related either to the assessments in Ireland, and to their burthen upon the people, or to the inconvenience of getting redress in the ecclesiastical courts, must be sought either in petitions to this House, in the evidence before the committees last year, in the returns upon the table, or in the statement of his right hon. friend. Of petitions to the House, from the time of the union to this day, upon this subject, he could find in the journals only three. Of evidence before the committees, the first witness (Mr. Blackburne) stated, that the collection of church-rates had not, in his district, excited any dissatisfaction. Another gentleman states that it is a very great grievance; but, except in one year, he had never paid more than 5½*d.* an acre. The witnesses before the committee say, in fact, little upon the subject. The returns before the House show that, in the country, the rate seldom exceeds 8*d.* an acre; is more often 3*d.* and sometimes one penny, and even one farthing, an acre. The amount, therefore, in a country where land is often let at 20*s.* or 30*s.* an acre, cannot be a great grievance, if the expenditure be not. The statement of his right hon. friend has not furnished any proof, or even any allegation, of malversation in these matters; and has laid no parliamentary ground for this bill; and yet, without any proof, or even any allegation on the part of his right hon. friend, of abuse of their powers, the whole jurisdiction of the ecclesiastical courts in these matters is cut off, and the maintenance of the external part of the church establishment is transferred from a tribunal which is not only Protestant, but must be connected with the hierarchy; and is transferred to a tribunal which may be Roman Catholic and hostile, or latitudinarian and indifferent.

Mr. Secretary *Peel* said, he thought the great advantage of this bill was, that it made the charges, to which a parish was subjected, definite. He agreed with the right hon. baronet opposite, that it was a great abuse for the Protestant vestry of a parish to make rates of the sort he had alluded to, such as building houses for the parish clerks, and supplying a profusion of wine; they were, doubtless, great abuses, and ought to be prevented by law, and this bill would have the effect of doing it. These vestries were to be considered as so many little parliaments in their several parishes; but their powers ought to be as clearly defined as possible. It ought to be distinctly laid down to what objects the money raised under their authority should be applied, According to the present practice, many of the parishes in Ireland, in reality, levied poor-rates. The practice was gradually creeping into more extensive adoption; and deprecating, as he did, the application of the poor-laws to that country, he must condemn this practice, and declare that measures ought to be adopted to prevent its spread. If poor-rates were to be introduced, let it be on the authority of parliament; but let not such principles be introduced partially, according to the notions of particular parishes. The principle ought to be generally applied, or not at all; and, if it were thought that it ought to be applied, let parliamentary sanction for it be obtained. As to the particular proposition now before the House, if it were right to maintain an established church, then the parishioners must be subjected to the charge of the church; but, if they were also to be subjected to contribute to other places of worship, what was that but telling them there was no necessity for maintaining an established church? His hon. friend had included the Presbyterians in his motion. He doubted much whether they wanted the assistance proposed to be given them; but his hon. friend felt the distinction would be too marked, and therefore he had included them. But why stop there? There were other classes of christians equally entitled to consideration. Why not include the Quakers and the Wesleyan Methodists? Did not his hon. friend think it would be hard on the Quaker, who was called upon to maintain his own church, and to contribute to the established church, if he were also called upon to maintain another church, against which he was decidedly and conscientiously opposed? The clause did not define the power to be given to vestries, and it would engender endless disputes and debates. Besides the machinery of it was undefined. If he were to admit, which he did not, its necessity, he must say that he did not understand the details of the manner in which it was to be executed. But he opposed the clause in principle, because, to admit that, would be to give up the principle on which an established church was founded.

Mr. *W. Smith* supported the clause, and said, that all the difficulties which were met with in Ireland, and in no other part of the empire, or of the world, arose from the anomalous nature of her church-establishment. In other countries, the church-establishment was agreeable to the majority of the nation. In Ireland, the church-establishment was the religion of a very small minority, who imposed their own rates on the large majority. Why did not difficulties of this kind arise in England or Scotland? Because the establishments were rooted in the affections of the majority of the people. Were these difficulties to be found in Canada? No. And why? Because, in that country, we had adopted a policy the very reverse of that which we had adopted with regard to Ireland.

Mr. *Trant* said, he was for supporting the church-establishment of Ireland, not for Ireland alone, but as Ireland formed a part of the empire; and, as he could not agree to the latitudinarian principle of the clause, he should oppose it.

The House divided: for the instruction 18. Against it 40. The House having resolved itself into the committee,

Sir *John Newport*, agreeably to the notice he had given, rose to move the repeal of the 5th section of the act of 4 Geo. 4, cap. 86, which authorizes the archbishops and bishops, in cases where there is no church in a parish, to order the assessment of rates for repairing the church of the next adjoining parish; such rates to be levied on the inhabitants of the parish having no church. He contended, that this clause was a most tyrannical one, and liable to very great abuse, as there were many parishes in Ireland in which there was not a single Protestant, yet those parishes would be compelled to pay rates for the repairs of the adjoining parish church.

Mr. *Goulburn* defended the law as it stood. The principle of it was not new, or applicable to the Irish church only; for the same principle prevailed in the law of England.

Mr. S. *Rice* said, the cases of England and Ireland were not at all parallel. If the question were left to the constituted bodies of the two parishes to make the union if they thought proper, he would be quite satisfied.

Mr. *Peel* said, he believed, as the law now stood, the bishop was authorized to order a church to be built in parishes where there was none; and as there might be two parishes adjoining, and one church sufficient for both, it would be a saving to the parish having no church to contribute to the rates of the adjoining parish, instead of being obliged to build a new one for themselves.

Mr. *S. Rice* said, that the bishop had no more power to compel the erection of a church in an adjoining parish than the grand jury had to compel the making of a road in an adjoining county. The bishop might, indeed, apply to the Board of First Fruits for such a purpose; but, in such a case, the assent of the parish to build a church was necessary.

Sir *J. Newport* said, he knew the case of one parish in which there were no Protestants, except the police stationed there; and to that parish the bishop united another, and the parishioners had more than five miles and a half to go to attend divine service. The great evil was, that the hierarchy of Ireland had, within the last 150 years, allowed the churches to go to decay, and now there was a call upon the Roman Catholic population to repair them. The more this grievance was looked into, the more severe would be found the pressure upon the members of that persuasion. He regretted to see this system of taxation by the church treated with such indifference by that House.

Mr. Secretary *Peel* said, that he had never meant to defend any abuse in the levying of the church-rates, but he had merely remarked, that if a parish church happened to be out of repair, the bishop had a strict legal right to compel the parishioners to repair it.

Sir *R. H. Inglis* said, that, in reference to the last point, he believed there was in existence a very curious return, stating the number of churches in Ireland in the beginning of the 17th century. He was informed, that this return stated, that in Wexford there were, at that time, twenty churches. In the year of the Restoration, 1660, only one was left, the rest having been destroyed, not by the neglect of the bishops, but by the consequences of great rebellion. In reference to the first point, the grievance, upon the ground of which alone the right hon. baronet had introduced his clause, which only, at least, he had alleged in illustration of the necessity of it, was, he apprehended, the case of Clonarmy, from which the right hon. baronet had presented a petition a few weeks ago. Now, this case of grievance was as follows:—it was a parish of 1093 acres, inhabited by a considerable population, probably, therefore, good land, and the tax was, in the first year of its union with Castletown Delvin, 6¾*d.* an acre; the next year, 3½*d.*; and the next, 3*d.*: the aggregate amount paid was never 30*l.*; and he believed, that not more than 22*l.* was raised in one year, and about 11*l.* in the next. So much for this case of great hardship.

Sir *J. Newport* said, that there were two churches within ten miles of his house, which were suffered to go to ruin; and when a remonstrance was made to the then diocesan on the subject, he treated the representation with neglect. The consequence was, that the Protestants left the place; and those churches were now ordered to be rebuilt at the expense of the Roman Catholic inhabitants.

Mr. *Goulburn* said, that the duties of the clergy in Ireland were now, at a moment of peculiar delicacy and difficulty, discharged in a manner which, when compared with any former period of history, redounded highly to the credit of the established church.

The amendment was negatived.

Mr. *Grattan* said, he rose for the purpose of submitting a clause to the committee, which he should think himself in some degree criminal if he did not propose. The object of it was, to enable such parishes as might be so disposed, to make an assessment for certain classes of the poor. This had been done in several parishes in the county of Armagh, and no inconvenience was found to result from it. The priest very willingly cooperated with the rector, and great good was thus produced. It would be desirable that parishes should at least have the discretion of making such provision if they should think fit.

Mr. *Croker* thought it would be better if the hon. member brought forward the proposition in some way more calculated to excite attention. It was a subject of importance, and worthy of more consideration than could be given to it at present.

Mr. *J. Smith* said, he had for some time been endeavouring to ascertain what the state of the poor in Ireland was. The subject was worthy of serious consideration, and he could not now allow any clause of the kind to pass, unless accompanied by a full inquiry into the state of the poor of Ireland. He hoped, therefore, that his hon. friend would withdraw it for the present. It was matter of serious charge against the government, and against the committee which had been sitting for two years, that they instituted no inquiry into the subject. The committee omitted what they were bound to have done, by making no report on the state of the poor.

Sir *R. Heron* said, he never would consent to entail upon Ireland the additional misery of a system of poor-laws. In a country so circumstanced, it must prove even more mischievous than it had done in this. It could not be introduced without being productive of the worst effects.

The clause was withdrawn, and the House resumed.

HOUSE OF LORDS.

Tuesday, April 25.

Promissory Notes Local Paymnts Bill.] The Marquis of Lansdow having moved the order of the day for oing into a committee on this bill,

The Earl of *Liverpool* said, that, as far as he understood the principle of this bill, he entirely concurred with it. That banks should pay at the places where their notes were issued, and that this should be done, not only by the chief banks, but by all the principal branch banks, was a proposition to which he perfectly agreed, both on the ground of principle and expediency. But, he confessed that he found many objections made to the application of this principle at present; and he also perceived many difficulties in the way of carrying it into immediate effect. It was, therefore, well worth the consideration of the noble lord who had introduced this measure, and of the House, whether it would be proper to proceed with it at present. A very important branch of the subject to which the present bill related had been referred to the consideration of a committee. He meant the question relative to the currency of Scotland and Ireland. Much evidence had been given before that committee, which it would be important for their lordships to consider when the report should be laid on their table. Now, whether the report might be made or not, there was, he thought, no probability that any legislative measure could be founded upon it this session. For this reason, he was of opinion, that it would be better to postpone the present bill until after the inquiry now going on was completed. When the result was before their lordships, as it would be next session, they would have an opportunity of considering the whole subject. A bill had gone down to the other House. He meant the measure which their lordships had passed, authorizing the establishment of chartered companies in this country. He had anticipated that that bill would have a salutary operation, and that opinion had not been hastily taken up. The effect of the principle, as applied to Ireland, was already known. Throughout the whole of that country, with a very slight exception, there were no banking establishments, except the branches of the Bank of Ireland, and those which had been formed under the act passed last year. He understood, too, that some very respectable establishments in this country had taken it into consideration, if the bill now in progress should pass, whether they would not unite and form joint-stock banking companies. This, certainly, would be the very best operation the bill could have. Their lordships would, in the course of a few days, have this bill before them; and this was an additional reason why he wished to delay the bill which stood in the order of the day. He thought it advisable not to embarrass the measure which was about to be passed; and he should be sorry to see any thing done which might tend to counteract its operation, or prevent experiments from being fairly made under it. Having again declared that he approved of the principle of the present bill, and that his proposing to postpone it to next session arose from no objection but as to the fitness of the time for considering the measure, he would move, that it be committed this day three months.

The Earl of *Lauderdale* said, he knew not what might be the merits of the bill now in progress through the other House, nor did he know in what form it might come before their lordships; but of this he was convinced, that the measure, if once adopted, must be ruinous to Scotland. Ireland was differently circumstanced from Scotland, with regard to the banking system. There were in Ireland notes of the provincial banks, as well as those of the bank of Ireland, and that too in one and the same town. But it should be observed, that the bank of Ireland had a decided advantage over the provincial banks; for its notes were made payable only in Dublin, whereas, the notes of the provincial banks were convertible into cash at the places where they were issued. In fact, the branches of the provincial banks were made engines for providing gold for the bank of Ireland; and this he looked upon as a very great hardship to the parties concerned. He thought it only fair that a clause should be introduced into the bill, empowering the provincial banks to have their notes payable at head quarters, upon the same principle as that acted upon by the bank of Ireland.

The Earl of *Limerick* rejoiced to find that the measure proposed by the noble marquis was not likely to pass into a law this year. He believed that no measure was more pregnant with danger to the prosperity of Ireland than this; and he hoped, if it was introduced next year, that their lordships would not hesitate to put it down. He owed a debt of gratitude to Scotland for the determined opposition which the people of that country evinced on the occasion. The noble marquis had said, on a former occasion, that the Scotch wished to establish a Cordon Sanitaire on the frontier. Now he, for his own part, would willingly assist in the work. The notes of the provincial banks were eightpence in the pound above those of the bank of Ireland, in consequence of their being convertible into gold at the places where they were issued.

The Marquis of *Lansdown* said, he was not now prepared to discuss the question as to whether or not notes under the value of 5*l.* should circulate in Ireland or Scotland. That was a subject upon which, as having been referred to a committee, he was not disposed to offer any opinion. But after the admission which was made by the noble earl opposite, as to the expediency, upon principle, of the measure now before their lordships, he should consider himself liable to the charge of determined obstinacy, if he pressed it at present; particularly when he hoped at a future time to have the noble earl's valuable assistance in carrying it through. He looked upon the measure as essential to the establishment of a sound circulation in the country. If notes were not payable at the places where they were issued, a species of circulation of a vicious nature must be the consequence. He would ask their lordships whether they ought not to guard against this, by preparing bankers to provide themselves with sovereigns to meet the change which was to take place? Let their lordships only look at what must be the state of Ireland if this bill should not pass. The bank of Ireland was not obliged to pay in gold at the places where its branch notes were issued; and the state of her circulation might thus be exposed to the greatest danger. The bank of Ireland, with this exemption in its favour, might be able to extinguish all the provincial banks, and obtain a complete monopoly. Ireland, in fact, might thus be left without any circulating medium except paper. Would any one say, that the provincial bank might not alter the form of its note in the same manner as the bank of Ireland had done? What was there to stop that establishment from making its notes payable in some remote part of Ireland, or even in England? If this were done, then the whole circulation of Ireland would consist of paper not convertible into gold. As the law now stood, he could not blame the persons who should take a step of this kind. The bank-notes might be so framed that the people of Ireland could not obtain payment for them without sending to Worcester. He was sure that the noble earl opposite must be aware that this was a state of things, the occurrence of which ought to be carefully guarded against. Until something was done to amend the law, the banking establishments, and the currency, in different parts of the united kingdom, would be left in a very anomalous state. While the bank of Ireland was relieved from paying in gold, the provincial bank was paying. The bank of England and country banks were to pay in gold, while the whole circulation of Scotland would continue to be paper, and the notes of that country might inundate the whole of the north of England. It was certainly to be expected, that the Scotch banks would be ready to communicate to the English counties some of that convenience which arose to persons in trade from a paper circulation, and which would be very willingly accepted. This operation of the Scotch banks would seriously clash with the great object of the noble earl opposite. Hoping the noble earl would take into consideration whether some measure could not this session be adopted to correct the great inconvenience which had been pointed out in the circulation of Ireland, he would agree to the motion for postponing the committee on the bill to this day three months.

The Earl of *Rosslyn* observed, that, before the Bank Restriction act, in 1797, the Scotch circulation was the same as at present, and yet that the Bank notes had not driven away gold from the borders.

The Earl of *Liverpool* reminded the noble earl that, previous to 1797, the country had not been deluged by paper. The case might be very different now, as after the English counties had been so long accustomed to a paper circulation, the introduction of the Scotch bank-notes would be more easy. He agreed, however, that there was no pressing danger at present, as the English paper circulation was to be permitted to continue for three years.

The *Lord Chancellor* confessed that there would be a difficulty in legislating for the intermediate places between Yorkshire and the borders, as the notes being Scotch, it would be in their very nature to travel south [a laugh].

The amendment was agreed to.

HOUSE OF COMMONS.

Tuesday, April 25.

TITHES—PETITION FROM ST. OLAVE, HART STREET.] Mr. Calcraft presented a petition from the Churchwardens and Inhabitants of St. Olave, stating that the differences respecting Tithes in that parish were as yet unadjusted; that an offer had been made by the parish, which had been rejected by the rector; that the whole parish contained only 175 houses; and that, chiefly owing to the differences which unhappily existed between the rector and the parishioners, the church was very thinly attended. The petition prayed, that the House would be pleased to take the premises into its consideration, and afford such relief to the petitioners as should be deemed fit.

Mr. Alderman *Bridges* complained of the peculiar hardship of the parishioners of St. Olave, in having the question of tithes so long in agitation, while they had every wish for an amicable adjustment.

Mr. Ald. *Wood* spoke of the enormous income enjoyed by the present rector—an income which was entirely too large in proportion to the size of the parish.

Mr. *Hume* expressed his sincere regret to find that the affairs of this parish remained in their former unsettled state, and thought it a very great hardship that, with every wish for an amicable arrangement, the petitioners were again compelled to address the House. Differences on the subject of tithes were highly disreputable; and, if he were present, he would appeal to the Secretary of State to say whether it was expedient to suffer these parish broils, these scenes of tumult and disorder, to be thus continued, to the reproach of the church, and the interruption of harmony and social order. He had no hesitation in saying, that proceedings such as these were a reproach to the heads of the church, without whose sanction they could not be continued. In the present instance there was every likelihood of a satisfactory arrangement being completed between the parties; and, were it not for the bishop of London, an amicable settlement would have taken place between the rector and the parishioners. That prelate, however, thought fit to interpose; he would not consent to an adjustment, and the consequence was, that none could be effected. Such conduct on the part of a bishop, whose duty it was to be a peacemaker, merited the severest reproach. In this instance he had laid aside his sacred calling, and was rather a fire-brand than a peace-maker—a promoter of discord, than a minister of the Gospel [murmurs]. He thought it most unjust that one parish should be taxed at such a high rate, whilst others of greater size were less heavily burthened. His hon. friend, one of the members for London, had a bill, from which it would be well if the rector of St. Olave would copy, and endeavour to adopt the same liberal spirit which actuated the party concerned in that measure.

Mr. *Wynn* said, that, without offering any remark on the present petition, he could not resist the inclination which he felt to protest against the unjustifiable attack of the hon. member for Montrose on the conduct of the right rev. prelate, whose name had been introduced on the present occasion. The hon. member asked, why had that right rev. prelate interfered in an arrangement between the rector and the parishioners? In doing so, the bishop of London had only consulted the interest of the church of which he was one of the heads, to prevent an arrangement, the benefits of which should not be extended to the incumbent who might succeed the present. The bishop of London had not appointed the present rector, and therefore he could not have acted from any partial feeling in pursuing the course which he had taken. The hon. gentleman asked, why should this parish pay more than others? If the hon. member knew any thing of the state of England, he must know that parties in one parish might consent to an arrangement by which they might be taxed more or less than the inhabitants of an adjoining parish; and this arrangement might take place without any regard to the relative extent of those parishes. There were numerous parishes situated like that from which this petition had been forwarded; and he could not see that the present petitioners had any more right to expect relief than the inhabitants of other parishes. The petitioners had made out no case to entitle them to the peculiar consideration of the House.

Mr. *Denman* said, that the right hon. gentleman seemed to have misconceived the observations which had fallen from the hon. member for Montrose. His hon. friend had said, that the present rector received upwards of 1,800*l.* per annum, and that the parishioners were willing to give 1,200*l.* a-year to future incumbents, and that, but for the interference of the bishop of London, this proposition would have been accepted. His hon. friend had said also, that this parish was rated too high for its size; and the right hon. gentleman denied that statement. Now, what were the facts? In the adjoining parishes of Bishopsgate and St. Andrew, Holborn, each of which were beyond comparison more extensive than that from which the present petition had been sent, the commutation for tithes was by no means so unreasonably exacted. Surely, then, his hon. friend had some right to complain that the tithes exacted by the present rector were not in proportion to the size of the parish. With regard to the defence set up in support of the claim of the rector, it should be observed, that, until within these few years, the tithes of this parish were on a moderate scale, and payments of this description hardly known.

Mr. *Wynn* said, he had no intention to enter into the merits of the question between the parties in this case. His only object in rising was to protest against the term "fire-brand," which the hon. member for Montrose had thought proper to apply to the bishop of London.

Mr. *Calcraft* begged leave to say, that so far from any blame being attached to the bishop of London, he thought he had done as much to reconcile the parties as he possibly could, considering the station which he filled. The chief difficulty the bishop had to contend with was, to make a suitable provision for the future incumbents of the parish. He was the natural protector of the church, and was bound to see that its interests were duly guarded. It was his duty to protect the charge which had been confided to his care, in the same way that trustees were bound to watch over the property committed to their management. The state of the parish of St. Olave was certainly such as to call for the interference of the House.

Mr. Secretary *Peel* expressed his regret that he was not in the House when the hon. member for Montrose had made use of such unwarrantable observations with regard to the venerable prelate whose name had been used in the present discussion. The member who could so far commit himself as to deal forth his invectives in that unwarrantable manner against a prelate who was not more distinguished by the exalted station which he filled, than by his piety and learning, grossly abused the privilege he enjoyed as a member of that House. Was it, he would ask, to be tolerated—was it manly or decent—to apply the term "fire-brand" to the venerable and respected bishop of London. Had the hon. gentleman, who had thought fit to use that term, been in a more exalted station than that which he filled in the estimation of the House, a more serious notice should have been taken of such conduct. And, what was it that called for the hon. gentleman's remark? The bishop of London had shewn the utmost anxiety to produce an amicable arrangement; and he had no other feeling, no other interest to advance than that which a sense of his duty dictated. Was it fair or just, then, to brand him with such offensive terms? The bishop had acted according to the best of his judgment in adopting the course which he had taken; and he had, of course, acted with a due regard to the interests of the church over which he was called on to preside. Whatever obstacles the settlement of the tithes question in that parish had met with, he was satisfied that the bishop of London had acted according to the dictates of his reason and his conscience, and that those obstacles had not been started by him from any unworthy motive.

Mr. *Hume* asked, in what situation a parish was placed where every body said that the differences which unfortunately existed would have been settled if it had not been for the interference of the bishop of London? Such was the prevailing feeling in the parish. The petition stated, that the sum levied for tithes in the parish was only 100*l.* short of the whole sum paid by the parish for the King's taxes. Now, was this fair, was it reasonable? With respect to the part which the bishop had acted in the business, he certainly did not think that he was free from censure; although he was willing to confess that the term which he had applied to that prelate was stronger than he could have wished. But knowing the divisions with which this parish had been disturbed, and the heart-burnings caused by the litigation of the question of tithes, he had given vent, rather unguardedly, to expressions which perhaps it were better he had not uttered. The bishop, however, ought not to be too hard on the parish. He ought to be satisfied with having raised the tithes from 250*l.* to nearly 2,000*l.* per annum; and he should have consented to the proposed arrangement, without offering any hindrance to the final adjustment of the dispute.

PETITION OF ROMAN CATHOLICS OF IRELAND FOR REMOVAL OF DISABILITIES.] Sir *Francis Burdett* said, that in rising to present the petition of the Catholics of Ireland, praying relief from the political disabilities under which they so unjustly laboured, he felt he was not justified, under existing circumstances, in going at any length, or indeed at all, into the merits of the general question itself, the principle of which had so often received the sanction of that House. At the same time, he was anxious to avail himself of this opportunity to entreat the House to consider once more the deep interest which this subject was calculated to excite—to assure them of his own deep and unalterable sense of the justice of the claims of these petitioners—and not only of their justice, but of the sound policy, wisdom, and reason, of attending to them. As it was not his intention to bring on any formal discussion upon the prayer of this petition, it would not, perhaps, be altogether fair in him, were he, on the present occasion, to use the indulgence usually shown to the presenter of a petition, for the purpose of saying more upon the general view of the case, than that he seriously recommended the House to consider what reception they ought to give to claims so founded on reason and truth—claims, too, which never could be laid at rest until they were satisfied—claims which all who spoke with proper opportunities of knowing the real state of Ireland concurred in describing as interwoven with the best interests of six millions of people, whose national character stood so high for honesty, industry, and virtue, that its people to whom it was attached were described by the first minister of the Crown as being the most useful examples of laborious industry which were to be seen in this country, or indeed in any other, under the sun. And yet must not these same persons have felt themselves degraded to the last degree, when they were compelled at the same time, and from the same lips, to hear, that they were unfit to be admitted within the pale of the British constitution? It was time that this question should be settled, seeing that its policy and necessity were so strong, that they could not hope for the peace of Ireland until that consummation was attained, or indeed take the sense of the House upon other measures which were upon all hands admitted to be essential for the welfare of that country, and of the kingdom generally; for all who were conversant with the affairs of Ireland admitted that these measures could hardly be brought forward until this great preliminary stumbling-block to all improvement were removed out of the way. He hoped that, under all these urgent circumstances, the House would speedily feel convinced of the reason, justice, and propriety, of conceding to six millions of their fellow-subjects, an eligibility to civil rights, without which they must continue, as it were, aliens in their native land. He repeated that, until this question was finally settled, and in the only way in which it could be justly determined, namely, by conceding these claims, they could not hope for concord, or satisfaction in their government of Ireland. Indeed, it was quite clear that there never could, nor ought to be satisfaction among the Catholics of Ireland, or of England, until justice were done them.

Mr. *Brougham*, in seconding the motion for bringing up the petition, declared his cordial concurrence with the hon. baronet in every thing which he had said upon the policy, expediency, justice, and necessity, of conceding these claims. He also agreed with his hon. friend in the inexpediency of taking, on the present occasion, a more enlarged view of this question; which was a most judicious course for the great interests intrusted to his charge.

The Petition was then brought up and read. It purported to be the petition of the Roman Catholics of Ireland, and set forth,

"That the petitioners once more implore the attention of the House to that portion of the statutes of this realm which render it necessary for six millions of loyal subjects of the British crown to appear at the bar of parliament, humbly praying that they may not be any longer excluded from the enjoyment of their political rights, on account of their conscientious worship of their God, by adherence to that religion which was the common universal faith of England in the most glorious epochs of her history, and is at the present hour professed by almost all those states in the old and the new worlds with whom their most gracious sovereign holds terms of friendly and confidential relation; the petitioners had fondly hoped, that the results of the comprehensive and solemn inquiries into the state of their country instituted by both Houses of parliament, and repeatedly approved by gracious communications from the throne, would have, ere now, relieved them from the humiliating obligation of again praying to be raised from their state of odious and unmerited degradation in their native land, of whose population they constitute so large a majority; but the petitioners have seen and felt with unaffected surprise and regret, that, although the magnitude of the subject eminently appeared by the prominent station which it unavoidably held in those inquiries, and although the injurious tendency and operation of the present system of exclusion was most unequivocally proved, nevertheless no means of amelioration were suggested to parliament, nor was any prospect of relief held out to the petitioners beyond the cold and cheerless declaration of the 'paramount importance' of their question; the petitioners, therefore, humbly trust, that, inasmuch as the said committees, in accordance with the conduct hitherto observed by the ministers of the Crown, have declined to originate any measure respecting this subject of such confessedly paramount importance to the state, the petitioners will stand fully excused from the charge of premature obtrusion in their humble endeavour to obtain for their claims the favourable consideration of the House; that the petitioners feel no inclination to disguise the anxious hope long entertained by the Catholics of Ireland, that the liberal relaxation of the penal code, commenced in the reign of his late most gracious majesty, would be completed in that of their present illustrious sovereign, and they felt much encouraged in this expectation by the enlightened and liberal principles of government extended by his majesty to the Roman Catholic subjects of his Hanoverian states; the petitioners at the same time most gratefully admit that their confidence had been much increased by the benevolent acts and professions of his majesty since his accession to the throne of these realms; and they refer, with sentiments of gratitude and exultation, not only to his majesty's parental visit to his faithful Irish subjects, and the affectionate recommendation contained in his parting admonition and injunction, which it has been their study to cultivate and observe, but also to the many obligations which they owe to their sovereign for the repeated instances of regard for his Irish people, apparent in several communications from the Throne to parliament; the petitioners advert with much satisfaction to the gracious declaration of his majesty, upon the occasion of opening the session of parliament in the year 1822, when his majesty was pleased to say that, 'in his late visit to Ireland he derived the most sincere gratification from the loyalty and attachment manifested by all classes of his subjects;' and again, when closing that same session, his majesty assured his parliament that 'the object which he had ever had at heart was (to use his own parental terms), that of cementing the connection which subsists between every part of the empire, and of uniting in brotherly love and affection all classes and descriptions of his subjects;' that in the speech of his majesty's commissioners, upon opening the session of 1823, it was recommended to parliament to consider of 'such measures of internal regulation as may be calculated to promote and secure the tranquillity of Ireland, and to improve the habits and conditions of the people;' and upon closing that session it was declared by the commissioners, in his majesty's name, that 'his majesty entertained a confident expectation that the provisions of internal regulation which parliament had adopted with respect to Ireland, would, when carried into effect, tend to remove some of the evils which have so long afflicted that part of the united kingdom;' that, in the same spirit of affectionate regard, his majesty's commissioners, upon the opening of the session of the year 1824, were instructed to declare that 'Ireland had been for some time past the subject of his majesty's particular solicitude,' and that 'his majesty relied upon the continued endeavours of parliament to secure the welfare and happiness of that part of the united kingdom;' and, when closing that session, his majesty was pleased to express his gracious approbation of the inquiries instituted into the state of Ireland, and to add that 'he had no doubt but parliament would see the expediency of pursuing its inquiries in another session,' which recommendation was repeated by his majesty upon the opening of the session of 1825; and his majesty directed his commissioners, when closing that session, to 'return his warmest acknowledgments for the zeal and assiduity with which both Houses of parliament had prosecuted the inquiries into the state of Ireland;' the petitioners humbly, but most confidently, submit, that it must appear perfectly plain to the House that the parental solicitude thus affectionately and repeatedly expressed by his majesty never can be gratified, nor his gracious desire for the promotion of brotherly union among all classes and descriptions of his Irish subjects be accomplished, nor the evils which have so long afflicted Ireland be remedied, nor the good results expected to follow the late parliamentary inquiries be effected, so long as the great body of the Irish population is held by the law in an ignominious inferiority, and excluded from the full enjoyment of that constitution which they mainly contribute to sustain; it will not therefore appear strange or unjustifiable to the House, that a measure, whose attainment is thus manifestly necessary, as well for the accomplishment of the benevolent views of the sovereign, as for the promotion of the general public weal, should be urged with peculiar but respectful zeal and earnestness upon every convenient occasion by the petitioners, who are the direct immediate victims of that cruel code against which they complain, as not only restrictive of their just rights as faithful subjects of the Crown, and opposed to the pursuits of legitimate and laudable ambition; but also thwarting their progress in every rank and walk of life, and almost neutralizing the advantages of that limited toleration which was extended to the Roman Catholics of Ireland towards the close of the last century, now more than thirty years ago; the petitioners further most humbly represent to the House, that it may not be unworthy of its consideration that the prayer of the Catholic subjects of this united kingdom for relief, has been also sustained by the great body of the resident Irish Protestant nobility and gentry, by the most opulent and most exalted Irish proprietors of all religious communities and political parties in the state, by the enlightened members of the learned professions in both islands, by the most eminent bankers, merchants, traders, and capitalists of the British metropolis, by many members of the English universities, by dignitaries, and ministers of the Established Church, by the most esteemed members of the dissenting communities, and, finally, by the repeated determinations of the representatives of the Commons of the United Kingdom of Great Britain and Ireland in parliament assembled; that although the petitioners may and do advert with sincere delight and gratitude to such unequivocal attestations to the justice of their prayer, they nevertheless rest their claims chiefly upon the abstract right and intrinsic merits thereof, and upon that solemn compact which remains unbroken on their part, and by which the honour of the British Crown and people was pledged for the support and protection of the rights and liberties of the Catholics of Ireland, for the petitioners most humbly insist that the continuance of those penal enactments, against which they now complain, is a direct palpable continued infraction of those articles agreed upon at the capitulation of Limerick, which secured to the British king and nation many important advantages in return for that charter of Irish freedom, to the maintenance of which the good faith of England was thereupon solemnly plighted; nor can the petitioners wholly overlook the fact, that the conduct of Ireland towards Britain, since the commencement of their intercourse in remote ages, should ensure to her a return far different from that which she has almost invariably received, a position which is distinctly established, whether reference be had to the testimony of the most esteemed English writers, or to the labours of Irishmen in the diffusion of Christianity, and civilization in every quarter of Britain, the establishment of religious and literary institutions for that benevolent purpose, and the hospitable reception and gratuitous support and instruction of British princes, clergy, and people, in Irish seminaries, or by reference in more modern times to the loyal zeal and attachment manifested by the Irish Catholic subjects of the British Crown, in those inferior stations in the Army and Navy, to which alone they were admitted by the provisions of the law or the practice of the government; the petitioners do not refer to these topics in a spirit of acrimony, or with any other view than to remind the House of the just claims of Ireland to British sympathy and favour; for, although they are not ignorant that while all other European states gratefully recognized the validity of similar claims on the part of Ireland, England alone proved her dispositions, by the confiscation of property, the demolition of religious and literary establishments, and the proscription and persecution of the people; nevertheless, it is the most earnest desire of the petitioners that parliament should enact such a final and satisfactory measure of justice and conciliation as will obliterate for ever from the memory of both nations all traces of such heart-rending reflections; it cannot be dissembled, by the petitioners that they have been led to this painful reference principally by the recent opposition to their claims founded upon the imputation that his majesty's Roman Catholic subjects practise or profess a divided allegiance; this imputation, utterly unjustified by their conduct, appears to the petitioners not more untenable in fact, than ungenerous, illiberal, and ungrateful, in principle; and they earnestly pray, that the House may feel assured, that the petitioners are restrained solely by sentiments of respect and decorum, from a more direct and unmeasured expression of the indignation which that charge has excited amongst all ranks of his majesty's faithful, though much injured and long suffering, Irish Catholic subjects; the petitioners unhesitatingly admit and avow, that their religious faith remains unaltered, and for this simple reason, that it appears to them the most conducive to the eternal salvation of man; it is the same faith as was professed by Catholic Ireland upon every one of those occasions in ancient and modern times to which the petitioners have referred; it is the same faith as was professed by the most esteemed princes, peers, and warriors of England, and by all her people, when the offices of government and the obligations of subjects were as well understood and as well performed as they have been in any subsequent periods; it is the same faith as was and still is professed by the great majority of Christians scattered over all the nations of the earth, without destroying or endangering their allegiance to their respective governments; and the petitioners will not be required by the House to accede to the notion which the imputation implies, that there must be something so incongruous, revolting, and obnoxious in the system of British rule, that the allegiance which is sufficient and secure in all other states should be considered unavailing and insecure within this united kingdom; nor is this the single inconsistency or peculiarity attending that offensive allegation, for it is made not only at a time when his majesty's Roman Catholic subjects are admissible, without complaint, to all the subordinate stations of practical power in the naval, military, and civil departments of the State, but at the very moment when, as the petitioners believe, full one half of the number of recruits enlisted for his majesty's army are raised from the Catholic population of Ireland, a circumstance which, the petitioners humbly submit, could not, and should not, be admitted to occur, if this charge of "divided allegiance" were seriously entertained by any member of his majesty's government; had it been alleged that his majesty's Roman Catholic subjects abused the concessions extended to them by parliament, or manifested a defective allegiance in the administration of any offices to which they were appointed, or had their opponents pointed to any specific proof of a superior practical allegiance on the part of any other class or description of his majesty's people, the petitioners could not, if such allegations were well founded, complain of such a marked and peculiar distrust as is thus avowed; but whereas, on the contrary, they can confidently challenge their adversary to a contrast between the deportment of their body, under the most trying circumstances, and that of the most favoured class in the state, they trust, that the House will not suffer its judgment to be affected injuriously towards them by such misrepresentations; the spiritual jurisdiction recognized by petitioners does not vary in character from that existing in any other Christian community in which an ecclesiastical hierarchy is sustained, and is totally unconcerned in the exercise of any political power or influence whatsoever; the authors of this imputation might therefore, with equal justice and consistency, insist that it is essential to the observance of that entire undivided allegiance which they hold to be due by a British subject to his king that he should refuse honour to his parents or worship to his God: the petitioners beg leave very briefly to controvert another objection recently made to their claims, founded upon an allegation of the total absence of education in the great body of the Catholics of Ireland, as contrasted with their British fellow-subjects, and their consequent unfitness for the full enjoyment of the British constitution; they do not desire to animadvert with severity upon the ungenerous character of this imputation, which, if it were founded in truth, should nevertheless be declared by the advocates of a system that sought, by all the stratagems of unfeeling persecution, to establish that intellectual inferiority which is now alleged as a disqualification for the possession of freedom; but the petitioners most explicitly deny the truth of the allegation; they insist, that, notwithstanding the demolition of their seminaries, the persecution of the people, and the proscription of their religious and literary instructors, the mis-directed hostility of governments, and the factious zeal of individuals, the Catholic peasantry of Ireland enjoy as large a portion of education as is enjoyed by the same order of society in the favoured and cherished land of England; it is not required that the House will accept of their unsupported assertion as proof of their position, they beg leave to refer to the report of the commissioners for inquiry into the state of education in Ireland, by which it appears that the number of Roman Catholic pupils now receiving education in that country, and principally under the direction and superintendence of the clergy of that communion, amounts to about 400,000; and, as a further proof of the accuracy of their views upon this important subject, they would respectfully direct the attention of the House to the following extract from an official letter contained in the Appendix to that report, and addressed to the chairman of that commission, by his grace the present archbishop of Cashel, whose long residence in England must have qualified him to form a just opinion upon the matter to which he refers; his grace distinctly says, 'Were I to be asked the question, whether I thought that the disturbances in Ireland were imputable to any defect of education in that country? I should answer, certainly not; for, as far as my own observation has gone, I am fully persuaded that the peasantry of Ireland are not only quicker of apprehension, and in possession of a greater love of learning, but are also, in point of fact, better educated than the peasantry of England;' that the petitioners consider it due, not more to themselves than to their fellow-subjects in great Britain, to declare their conscientious impression that many, if not all, of the prejudices still retained against their claims result from an ignorance of their actual condition, their principles, and their objects; the petitioners seek not the destruction, but the enjoyment of the constitution, and in the pursuit of that desire they do not by any means solicit or expect, or wish, that a single individual of their Protestant fellow-subjects should be deprived of any right, liberty, privilege, or immunity, of which he is at present possessed; the petitioners, in praying for the restoration of their rights, seek not, nor do they wish, to burthen the state with any provision or pension for the ministers of their religion, nor do they seek, nor have they sought, to deprive any class of his majesty's subjects of any right, privilege, or franchise whatsoever, and they beg leave emphatically to deprecate the introduction of any measure into the House purporting or tending to restrict the elective franchise, or interfering with the discipline or independence of the Catholic church in Ireland; the petitioners, in conclusion, humbly, but most urgently, pray, that the House may, so far as in it lies, put an end to that bad state of society which afflicts their native land, which engenders the most odious and irritating distinctions and distrusts among subjects of the same sovereign, and which, under the false and impious pretence of upholding a Christian principle, enables each furious bigot to point to the Statute-law of England as the guide, the aid and ally of his uncharitable pursuits; they pray, that those laws may be repealed which make the disregard of conscience an indispensable preliminary to their participation of the constitution; they pray, that a system of government may no longer exist which is not more injurious to Irish right than to British fame and interest; they pray, most earnestly do they pray, that such repeal may not be qualified by any arrangements which must tend to neutralize the advantages of any measure of national conciliation, but that such a gift of emancipation may be extended to them as it would be worthy of a generous and enlightened parliament to offer, and of a confiding and high-minded people to accept."

Mr. *W. J. Bankes* said, that he would follow, on the present occasion, the example set to him by the hon. members opposite, in forbearing to enter into the general merits of this question. When the hon. baronet, however, had declared that his opinion remained unaltered, he (Mr. Bankes) felt it equally due to the consistency of those who thought with him upon this subject, to declare also that their opinions were unalterable upon it. And he regretted exceedingly that no convenient means had been afforded in the present session, of fully discussing the petitioners' claims; for he was satisfied, that the public feeling, or rather the public opinion, would have then been unequivocally expressed against the proposed concession. Had this course been taken on the eve of the general election, the public would have known how to choose their representatives for the new parliament; and he confidently anticipated the result. It had been sometimes said, that the Catholics of this day were not of the same religion as those of the past. There was, however, one expression in this petition which set that matter entirely at rest; for the petitioners avowed the unaltered state of the Catholic religion. He believed that avowal, and gave firm credence to those who uttered it; and upon that fact he had always founded one of his great objections to the granting of these claims. It was an unaltered and an unalterable church; and was now exactly the same as it had been centuries ago. The hon. baronet had contended for the reason, policy, and justice of this question. For his part, he could not see either the reason, or the policy, still less the justice, of committing the care of a Protestant established church to Catholic members of parliament. Indeed, human nature must make Catholics who were sincere believers of the principles of their religion decidedly hostile to a church which they must feel was an innovation upon their own system, which they deemed to be infallible. As to the church of Ireland, he was quite satisfied it would not stand for two sessions in an unchanged state, if Catholics were admitted to seats in parliament. Some hon. members might, perhaps, think such a change would be beneficial. He was of a contrary opinion, and thought it would inflict a fatal injury.

He should only further say, that the experience of the two last years—that all the acts, speeches, and publications of the Catholic body—convinced him more strongly than ever of the unaltered and unalterable principles of the Roman Catholic church, and of the danger of granting these claims.

Mr. *W. Smith* did not rise to prolong this discussion; but, when the hon. member declared his belief, that the Irish church could not stand for two sessions after the admission of a few Catholic members to seats in that House, he could not refrain from saying, that such a concession was what he did not expect to have heard from the hon. member; and he only lamented that a convenient opportunity could not now be afforded, to permit the hon. member to show how such an effect would follow from the introduction of a few Catholic members.

Ordered to lie on the table.

West India Property—Petition of A. H. Beaumont for Protection of.] Mr. *Hume* presented a petition from Mr. Augustus Hardin Beaumont, a planter and slave-owner of Jamaica, but now resident in London, praying that the House might not pass hastily any measures respecting the West-India colonies, by which the property of planters and slave-owners might be injured. The hon. member observed, that the petitioner was, like the great body of the West-India planters and slave-owners, naturally apprehensive that his property would be much injured, as well by the measures actually contemplated with respect to the colonies, as by others, not so well defined, which were threatened. He sincerely hoped that no measures for ameliorating the condition of the slaves, might be passed, unless accompanied with a guarantee on the part of this country, that the property of the colonists should not be injured. Law was the protection of all property, and the estate of the nobleman in this country was not more entitled to such protection than was the property of the planter in the colonies. He thought that, upon this principle, the prayer of the petitioner was most reasonable. He stated, that he had acquired his property under the direct sanction of this country. He and other planters in Jamaica had repeatedly signed petitions to the legislature of Jamaica for bettering the condition of the slaves, and even of granting emancipation, provided their property was protected against injury by such measures; and he begged to state to the House, that the West-India proprietors were quite ready to concur in any measures adopted by this country for those purposes, provided an assurance was given that they should be protected from loss. The hon. member observed, that the West-India proprietors were fully entitled to such a guarantee. It should be remembered, that several attempts, which were made in the colonies to abolish the slave-trade, long before the act for its abolition had passed in this country, were resisted and reproved by the government at home, on the ground that the trade was too profitable to the mother country. A direct sanction was thus given to the acquisition of property in slaves, and it would be unjust now to take any step by which property thus acquired would be injured. He regretted to have heard the right hon. Secretary, on a former evening, intimate, that inattention to the instructions sent out by government would be considered as contumacious, and that government had the power of enforcing an attention to them. Such an intimation was not calculated to produce a spirit of conciliation, unless the right hon. Secretary was prepared to add, that this country would make good the losses to be sustained by individuals in consequence of the instructions sent out. The hon. member then proceeded to urge the justice and sound policy of not endeavouring to attain the object of amelioration of the condition of the slaves, and the gradual abolition of slavery, at the expense of those whose property was in the colonies. He admitted that the attainment of those objects were desirable, and that the abolition of slavery would remove what was now a stain on our nation; but then it ought not to be removed by unjust means. After again urging the reasonableness of the petition, he concluded by repeating from it—"that as the black man was by nature entitled to the mercy of the legislature, so was the white man entitled to its justice."

Mr. Secretary *Canning* said, he did not rise to offer any objection to the petition, still less to enter into any statements in answer to the hon. member's speech—a speech in which the hon. member had touched upon almost all the topics on both sides of this important subject. He was the less inclined to enter into the question now, as, from there being no question before the House, it could lead to no satisfactory result. The hon. gentleman would have an opportunity, in a short time, of again entering fully into the question, on the motion of the hon. and learned member (Mr. Brougham), which stood for the 11th of May, and which he saw nothing to prevent its coming on upon that day. But it would be only prejudicing the general question, if, on presenting petitions, discussions were entered into, calculated to raise irritated feelings, which were, at present, happily allayed, and prematurely introducing topics which involved the character of the government.

The Petition was then read. It purported to be the Petition of Augustus Hardin Beaumont, late of the Island of Jamaica, but at present of the City of London, setting forth,

"That the petitioner is entitled to the reversion of a considerable number of slaves in Jamaica, and at present is in the actual possession of property in that island; that the petitioner's sole dependence is in such property; that the petitioner is fully impressed with the just and benevolent intentions of the House in the resolutions expressed by them against the existence of slavery in the West-India colonies, and is desirous that the same may be abolished, as humanity and justice require; that the petitioner's ancestors, with many other persons, then inhabitants of Jamaica, in the year 1764, prayed the Legislative Assembly of that island to restrict the Slave-trade, which was then a lawful traffic, and encouraged by the House; that, in further proof of the anxiety of the Jamaica colonists, on the one hand, to abolish the Slave-trade, and of the determination of parliament to continue and encourage it, the petitioner craves leave to submit to the consideration of the House a few historical facts. Previous to the existence of any of the West-India colonies, England commenced the Slave-trade; this traffic was established in the reign of queen Elizabeth, who personally had a share in it; her successors encouraged it by every possible means, and king William 3rd, by lord Somers, his minister, declared that the Slave-trade 'was highly beneficial to the nation;' numerous acts of parliament, from the reign of king William till within a few years of the Slave-trade-abolition laws, are to be found in the Statute-book of the British parliament, encouraging and fostering this traffic; and when, in 1760, South Carolina (then a British colony) passed a law prohibitory of further importations of slaves into that dependency, Great Britain indignantly rejected the act, and declared that the Slave-trade was beneficial and necessary to the mother country; the governor who sanctioned the prohibitory act was reprimanded, and a circular was sent to all other governors, warning them against a similar offence, which, however, was repeated in 1765, and Jamaica stood forward as the advocate of the black man; for in Jamaica a bill was twice read in the Legislative Assembly for the purpose of limiting the importation of slaves, when this measure was again frustrated by Great Britain, through the governor of Jamaica, who sent for its Assembly, and told them that, consistently with his instructions, he could not give his assent, therefore the bill was dropped, and the Slave-trade continued: again, in 1774, the Jamaica Assembly actually passed two bills to restrict the Slave-trade, but Great Britain again resisted: Bristol and Liverpool (which are now clamorous for the abolition of slavery itself) then found it suited their interest to petition for the continuation of the importation of our African black brethren, and the matter being referred to the Board of Trade, that board reported for the continuation of the Slave-trade; thereupon, the colonies, by the agent of Jamaica, remonstrated and pleaded against the report on all the grounds of justice and humanity; but Great Britain, by the mouth of the earl of Dartmouth, then president of the Board of Trade, answered by the following declaration—'We cannot allow the colonies to check or discourage in any degree a traffic so beneficial to the nation;' the petitioner begs the House to consider, that this declaration was made in 1774; that, in consequence of the resolution of parliament to encourage the Slave-trade, slaves were, and continued to be, imported into Jamaica in great numbers, until the enactment which passed the imperial parliament, declaring that nefarious practice a felony; that the tenure by which the petitioner's ancestors, and many other persons in Jamaica, held their lands, rendered it necessary that they should become proprietors of slaves, inasmuch as the patents by which they held such lands required that they should possess a certain number of slaves, in proportion to the extent of their plantations, as by reference to the patents will appear; that the petitioner submits, that his ancestors became possessed of the species of property in which his rights are now invested in consequence of the act of the House, and which the petitioner humbly submits must be considered as the act of the British nation; that the late determination of the House, gradually to abolish slavery, has caused a great depreciation in the value of the property in which the petitioner's rights are invested, inasmuch as the estate in fee simple held thereon is reduced into an estate at the will of the House; that the petitioner being desirous to get rid of property, the nature of which is alien to the resolutions of the House, has endeavoured to sell the same, as well in possession as in reversion, but could not find a purchaser, although he tendered to take one-fourth less than had been offered the petitioner a few years previous; that, to prove the depreciation of such property, the petitioner craves leave to submit the following facts out of many; in November, last year, Dover Castle sugar estate, in Jamaica, which had been mortgaged, a few years antecedently, for 30,000*l*., was sold to Mr. Solomon Mendez da Silva for 6,000*l*., and this, although there had been no other deterioration of the property but that consequent upon an opinion of its insecurity, such opinion resulting from the resolutions expressed by the House; another sugar estate, called Hall's Delight, and situate in St. Andrew's, Jamaica, containing 700 acres of land, with the houses, 101 slaves, 45 cattle, and 14 mules, were sold for 5,000*l*. currency, equal to 3,500*l*. sterling; and which last-mentioned property, fairly estimated under other circumstances, was worth 20,000*l*., or four times the sum for which it was purchased; that the petitioner's rights in reversion are wholly valueless, as the House may declare the time for absolutely emancipating the slaves has arrived, before the petitioner's rights come into possession; that the petitioner does not, however, expect or desire that a system productive of injustice should exist for his benefit, or that of any other person; that, from the nature of slavery, injustice cannot always be prevented, for who can say, that whilst the power of constraining the slave to labour exists, that power will not sometimes be abused, the more especially as the odium raised against the West-India colonies now prevents reputable persons from emigrating to them to fill the subordinate offices over the slave population settled on large plantations; that the only termination of the possibility of oppression is the absolute extinction of labour by constraint, or, in other words, of slavery; that, as the slave can see no moral right why he should toil for another's advantage, he cannot be expected thus to toil without constraint; that the removal of such constraint would, in fact, be the complete abolition of slavery, and, unless compensation be afforded, would be the destruction of the petitioner's rights of property; rights which are only cognizable between the slave proprietor and the British nation, which constrained the slave proprietor and his ancestors to acquire those rights of property, but which the slave is not morally bound to respect, and which he will not respect, when education has taught him to appreciate his natural rights, and enabled him to estimate his physical force; that the petitioner is ready to yield up to the House any or all the rights of property he now possesses, and which the British parliament has sanctioned him and his ancestors in acquiring, and all the persons interested in any manner in such property, with the petitioner, will join him in relinquishing such rights to the House, but the petitioner humbly submits that he is justly entitled to have his property fairly estimated, and that he ought only to be required to sustain a proportionate loss of the real value, in common with all the petitioner's fellow-subjects, as well in the United Kingdom as in the colonies; that the petitioner has observed, among the petitions presented to the House for the abolition of slavery, there are several which state that the petitioners are willing to be taxed to compensate the West-India proprietors for the loss they must sustain if that measure be effected; that the sentiments of such petitioners are directly in accordance with the desires of all the slave proprietors resident in Jamaica; and, if the recommendations of these petitioners were carried into effect, all opposition on the part of the resident colonists would instantly cease, and they would zealously co-operate in enforcing the desires of the British nation, as declared by the House; that, in proof of the correctness of the petitioner's statement, he begs leave to refer to a speech made by Mr. Burke, a barrister of England, and member of the Jamaica Assembly, whose sentiments greatly influenced that body, he stated, that 'the avowed object of the anti-colonists is ultimate emancipation, and we are only required in the mean time to do what may be necessary to render our slaves fit for the enjoyment of the new state into which they are to enter; here is a plain avowal of an intended interference with, and violation of, the right of property; our property is certainly not of a very enviable description; a property in human flesh and blood and bones and sinews is not greatly to be coveted, and, I am sure, there exists no West-India proprietor who would not gladly exchange it for property of inferior value of any other kind; it is, however, property which has been sanctioned by repeated acts of the British parliament, and which has descended to us from our ancestors, who were encouraged by repeated acts of parliament to embark themselves and their fortunes in the cultivation of the colonies; then my right to my slave is as much sanctioned by law, and should be as sacredly protected to me as the right of any gentleman in England to every acre of land which he possesses; this right, so sanctioned, it is intended to sacrifice; be it so, I would go hand in hand with the emancipators, I am as true a lover of freedom as the most sincere among them, and I do believe that some of them do act, from motives of honour and sincerity; but if we are to aid in the great work of freedom, at least let not justice be altogether lost sight of; let us not be the only sufferers; let a definite pledge of compensation be given; let the amount be full and fixed at once; let the source whence it is to flow be pointed out, and all opposition on the part of the colonists, it cannot be doubted, would instantly cease; but has this fair, this reasonable, this honest kind of consideration been ever bestowed on our own case? not at all! compensation has been hinted at, but at a distance, and we are required to go on step by step, by means of our own enactments, to diminish the value of our properties, and when at last they shall have become totally valueless, then we shall be asked, perhaps exultingly, what is the amount of compensation to which you think you are now entitled? This is the fate with which we are threatened; our only chance of averting it must be sought in our own firmness;' The petitioner submits, that the quotation he has just made conveys the same sentiments as in many petitions now before the House, which pray that compensation may accompany emancipation; that the petition signed by near 17,000 inhabitants of Edinburgh; and all similar petitions that pray for the abolition of slavery, without alluding to compensation, are, as the petitioner humbly submits, not entitled to the favourable consideration of the House, inasmuch as those petitioners are liberal, not at their own expense, but at that of the petitioner, and other slave proprietors; and the petitioner further submits, that if the existence of slavery be a crime, it is a crime in which not the West-India colonists alone, but the whole British nation are implicated, and therefore 'the wrong should be done to right' at the expense of the whole peccant body, and not of a part, and that part not of the most guilty; that if the last-mentioned petitioners for emancipation seek to demonstrate their sincerity, they ought, as the petitioner submits, to commence a subscription, to be general throughout the British empire, for the purpose of purchasing the rights of the slave proprietor; and the British nation will not find the resident Jamaica proprietors at all inferior to them in actual liberality; that to effect the gradual emancipation of the slave, the co-operation of the resident proprietors is, as the petitioner submits, absolutely necessary; for in Jamaica, as in all other countries, public opinion is in the nature of a law, and far more powerful than any positive enactment; in consequence, if the House, and the other branches of the British parliament, enact laws for that island, the inhabitants of that island will not consider the violation of such acts as disgraceful, because they will not respect them as laws, inasmuch as they were not sanctioned by their own legislature; thence the result will be, as the petitioner submits, that the spirit of such laws will constantly be evaded; and jealousy and mistrust too will frustrate the benign intentions of the House, because the resident proprietors entertain an erroneous impression that the House intends, step by step, to deprive them of their property without fair compensation; that the petitioner is apprehensive that the Legislative Assembly of Jamaica may (to use the language of the House) be contumacious, for the petitioner knows that many of the members have pledged themselves not to alter their laws as directed by the House, or as suggested by his majesty's ministers, until they receive from the House a specific pledge for compensation, in the event of their property being deteriorated by the operation of such alterations of their laws, or entirely destroyed by a revolution; that the ultimate consequence of the jealousy and mistrust thus subsisting, and of the several other premises stated by the petitioner, must, as he fears, be the immediate, and not gradual, emancipation of the slave population by a revolution, whereby the beneficent designs of the House would be defeated, and the petitioner's property entirely destroyed, without any fault of his; that, to avoid these evils, is, as the petitioner most humbly submits, an object, which the House desires, and the petitioner further humbly submits, that it may be attained by giving the colonists a pledge to compensate them, should any ill result from fulfilling the desires of the House; that the anxiety of the colonist for such a pledge is, as the petitioner submits, most natural, for the rights for which they contend are the sum and substance wherewith they live; if they are deprived of them, what shall they do? 'they cannot dig, to beg they are 'ashamed;' but once let compensation be specifically pledged, they would emulate their fellow subjects in effectuating their benevolent intention of restoring the bondman to the freedom which nature gave him; that such compensation, as the petitioner submits ought at once to be defined, and its medium of appreciation not procrastinated until the before-mentioned species of property be further deteriorated in value; the petitioner most humbly submits, that commissioners should be appointed to value the property of the petitioner, and other persons holding any property in the West Indies, and that the colonists should be declared entitled to compensation in accordance with the value of their property, as reported by the commissioners, in the event of a total loss of their possessions in obeying the directions of parliament, and so rateably for every partial deterioration, and that a particular fund be appropriated for providing such compensation; the petitioner further humbly submits, that the place of the fund thus appropriated may be supplied in two ways, either by a voluntary subscription or benevolence, of all the friends of the abolition of slavery throughout the British empire, including the colonies; or else by parliament taking all West-India possessions under its control (after compensating the present proprietors), and disposing of the proceeds in the stead of the fund appropriated as before-stated, and then the House might proceed with facility to emancipate our black fellow-subjects, either immediately or gradually, and with or without restrictions, as to the House might seem expedient; that the petitioner is not tainted with any of the prejudices which are frequently attributed to the West-Indians resident in the colonies, and he begs leave to state, that, in fulfilling the duty which man owes to his fellow man, at the trial of a slave for treason in Kingston, Jamaica, the petitioner voluntarily came forward to impeach the testimony of a prevaricating witness named Corberand; that the petitioner claims no merit for merely discharging an imperative duty to his fellow mortal, but merely adduces the fact to prove, that he is not the monster which it is usual to describe West-Indians; that the petitioner has committed no offence, and therefore humbly submits that he ought not to be amerced by taking away his property, either in possession or in reversion; that the petitioner and the other proprietors resident in Jamaica, are not represented in the House, and are therefore defenceless, for though many West-India proprietors, resident in the united kingdom, are members of the House, they are unacquainted with the local concerns and peculiar circumstances of the West-India colonies, and being generally possessed of means independent of their colonial property, cannot sympathize with the petitioner and other resident West-Indians, who have no other dependence; that the petitioner is assured that it is the desire of the House to act impartially, and feeling too, as he knows the House all feel, that it is expected from the House that they will execute justice and have mercy, the petitioner therefore humbly prays, that he may be heard at the bar of the House, for the purpose of showing that he is justly entitled to have the propositions he has most humbly submitted acceded to by the House; and the petitioner humbly prays for the favourable reception of this his humble petition, and that his rights of property may be protected; for as the black man is by nature entitled to the mercy of the House, so the white man is not the less entitled to the justice of the House; and the petitioner prays for such other relief in the premises as to them shall seem meet."

Ordered to lie on the table.

ADMINISTRATION OF JUSTICE IN THE WEST INDIES.] Lord *Nugent*, in explaining to the House the object of the bill which he had announced his intention of proposing, observed, that his first and principle object was, to render the judges of the courts of justice in the West-India colonies, independent of the colonial assemblies, by prohibiting them from receiving any salaries, fees, or emoluments, from the members of the Houses of Assembly. Those Houses, it was well known, were composed of persons who, whether in their capacities of landholders and agents, or of planters carrying on dealings with each other, or of planters and masters exercising a control over their slaves, had every cause to wish to ingratiate themselves with the judges, and were, of course, the least fit to be possessed of that kind of influence over their actions, which the power of granting them an allowance might be supposed to afford. His second object was, so to dispose the appointments, that a judge of power and authority should visit all the smaller islands, and thereby secure a thoroughly impartial administration of justice through all the colonies. For this purpose he proposed, that a chief justice, with two Crown lawyers, should be appointed to each of the islands of Jamaica, Barbadoes, and Antigua; and that while the chief justice, with two Crown lawyers, held constant sittings in Jamaica, the other two should make circuits, and hold sessions in the smaller islands in succession. The salaries of these officers he would wish to be on such a scale as would induce men of character, abilities, and integrity, to accept the situation without loss or degradation. By this means, he hoped to see that immense mass of laws which were in use in the West-India islands, known only to a few, and even by them imperfectly, reduced to one uniform, plain, and simple code, which every one interested in their operation might understand without difficulty. He intended, in the next place, to cut off from the high offices of justice all that connection with the properties of the landholders and planters of the colonies, which, he conceived, rendered them peculiarly liable to be influenced by considerations which might occasionally influence their duty. To carry that measure into effect, he would prohibit all judges or law officers, under heavy penalties, from holding any lands or plantations in the islands where they administered justice. He had, he was happy to say, a precedent for this prohibition, of at once the closest analogy and the highest authority; and one which, he thought, would have a very great weight in that House. In that very Prize act, passed in the beginning of the late war, under the immediate personal superintendance of that eminent person, lord Stowell, and called sir William Scott's act, they would find that all judges, proctors, and other persons of the Admiralty courts, were disqualified from holding any shares, or from being the owners of those letters of marque, which made the captures the Admiralty court was called upon to distribute as prize money. This, it must be acknowledged, was a most salutary precaution, and worthy of adoption in every case where the interests of those who were to sit in judgment could at all be brought into competition, or collision with those of the suitors of the court. These regulations, with one other respecting an allowance of the right of appeal from the quarter sessions to the assizes, formed the principal portion of the measure he proposed to introduce, relative to the administration of justice in the West-India colonies. He was rejoiced, however, to be able to say, that he believed a desire of reformation was making its way into the policy of the colonies, and that those who had so meritoriously laboured to purify the administration of justice at home, were desirous of conferring the same advantages upon our foreign dependancies. He hailed this with the purest satisfaction; not only as conferring the most important advantages upon the unhappy slave population, but as likely to advance most materially the interests of the non-resident land-owners and planters, who were the most likely to suffer from the mal-administration of justice, engendered by personal interests and private favoritism. The Secretary for the colonies had assured him, that the moment members were in possession of the contents of the Reports from the West Indies, two volumes of which had been already published, and the third and last of which would be laid on the table in a short time, it was the intention of his majesty's government to propose a general measure for the regulation of justice in all the West-India colonies. Under these circumstances, and as it would be essentially necessary for him to have a sight of the forthcoming Report, he would beg leave to withdraw his motion upon the subject, provided he was convinced he had not misunderstood the hon. Secretary.

Mr. *Wilmot Horton* assured the noble lord, that it was the intention of government to undertake the task to which he alluded, and submit to the attention of parliament, as soon as possible after a proper consideration of the Report, such measures as they deemed advisable. Under these circumstances, he thought it would be unnecessary to enter at present into any consideration of the subject.

The motion was then withdrawn.

COUNSEL FOR PERSONS PROSECUTED FOR FELONY.] Mr. *George Lamb*, in asking for leave to bring in a bill for the purpose of allowing persons prosecuted for Felony, to make their defence by Counsel, began by observing, that he could not consider the debate upon the motion of his hon. friend (Mr. R. Martin), on a former occasion, nor the division with which that debate was terminated, as shewing any conclusive sense of that House upon the question. It might, however, be thought necessary that he should explain why he had suffered two sessions to pass over without calling the attention of parliament to the subject; and why he pressed again upon an audience always reluctant to hear dry legal details, all the plain matter of fact of a twice-told tale. His reasons were to be found in his sense of the continued importance of his object, and his unchanged conviction that there was no good ground of defence, either from the practice of past times, or the inconveniences of the present, to be offered to the course which he intended to conclude by proposing. Every thing, indeed, since that time, had combined to corroborate the opinions he then expressed, and many individuals of weight and consequence had seconded those views—which, he contended, were founded on the principles of immutable justice. In alluding to the arguments which had been used on the former debate, he could not avoid expressing his surprise, that the Attorney-general, when he admitted the propriety of counsel speaking on behalf of persons accused of misdemeanours, had not thought it behoved him, from pure consistency, to extend the same privilege to those accused of felony; for he could not conceive any dangers or inconveniences which might result from the one case that were not equally applicable to the other; and he did not think he should fulfil his duty as a member of that House, or of the community, if he did not again give it an opportunity of maturely weighing the probable consequences of such a privilege to a prisoner; and considering whether any thing could be urged against it which should operate to the extent of denying what humanity and justice both called upon them to afford him. He did not think it necessary now to go over the whole of the authorities, which he had mentioned on a former occasion, and which, he acknowledged, formed a very dry proemium to the proposal with which it terminated; but he could not allow it to be imagined for a moment, that he considered the old Common Law of the land, as was asserted, to have precluded a prisoner from employing counsel in his defence upon a charge of felony. In Magna Charta itself, it was expressly stated, that no man should be put upon his trial unless 'per judicium parium aut legem terræ' a proof, as he conceived, that from the very foundation of the Common Law, a man was intitled to full use of counsel and advice upon his defence; and that the limitations which had been introduced by various bills only related to those cases where the Crown sued in its own right, and not where it acted as the public prosecutor. That power had, however, been taken away from the Crown in cases of claim on its own right; and it appeared to him, that when, by the treason bills, they gave a prisoner the right to be heard by counsel, they only conferred on a private person, and on public crimes, what they had taken from the Crown, with respect to its private claims. He had quoted so many authorities upon this subject on a former occasion, that he would not trouble the House by going now into their arguments at length. Among them he might, however, mention the names of Blackstone, of Whitelock, and even of chief justice Jefferies; who, when he attempted to vindicate the denial of the copy of indictment, said, that the denial of counsel to prisoners was a bad practice, and not to be defended. He might, too, refer to the authority of chief justice Hale, and of sir R. Atkyns, in lord Russel's case, whose arguments upon the subject were afterwards recognised as law in the Act for reversing the Attainder. He might allude, too, to the opinions of sir Bartholomew Shower, in the arguments for a new Bill of Rights in 1692. But the most remarkable, was that of sir Matthew Foster, in his Crown Law; and the more remarkable, because it seemed to have been relied upon, during the last debate, as an authority against the practice, which he contended to be agreeable to Common Law. It was, however, to be remembered, that there was nothing extraordinary in a judge from the bench (and in that light they must view sir M. Foster) defending the practice as he found it. It was the business of a judge, not to make the law, but to expound it in the best method he could, and support it; and they should not too rashly take decisions from the bench as the pure sentiments of those eminent persons as lawyers. Sir Matthew Foster said, however, and he conceived it told quite as much for his case as against it, that 'at Common Law, no counsel was allowed upon the issue of guilty or not guilty, in any capital case whatever, except upon questions of law; and then only in doubtful, not in plain cases. I am far from disputing the propriety of this rule, while it is confined to felony and the lower class of treasons, concerning the coin and the seal. I hear many things have been thrown out upon this subject; and inconveniences, some real, some imaginary, have been suggested by popular writers, who seem to have attended only to their view of the question; but it is impossible, in a state of imperfection, to keep clear of all inconveniences, though wisdom will always direct us to the course which is subject to the fewest and the least; and this is the utmost human wisdom can do.' Any thing more absurd than such a declaration being taken as authority, could scarcely be conceived; and they would find, long after the treason bill, the same eminent judge, in a trial which took place at Bristol, of which place he was recorder, in the case of a captain Goodyer, for murder, refusing the prisoner a right to cross-examine the evidence. It was, therefore, not astonishing that a lawyer, who would refuse a prisoner to cross-examine a witness, should declare that he thought it unnecessary for the prisoner to have the benefit of counsel. The time was gone by, however, when they were in the habit of looking upon the wisdom of their ancestors as something infallible: it had ceased to carry with it that cabalistic name which it formerly possessed; but he thought, as the great lord Bacon once said, in his advice to a young judge, that they should use the wisdom of other times as a light to open their eyes, but not as a guide to lead them by their noses. He was relieved, in this second time of bringing forward the present question, from being met by those panegyrics which they had heard so often upon their criminal proceedings, and by declarations of their being the very perfection of human wisdom; for they had at that moment before them a bill, which intimated, in pretty strong terms, that all the criminal laws were not thought entirely perfect. He looked at that bill with still greater satisfaction, because he considered it a precursor of still more extensive alterations; and, he trusted, that the sentiments which guided its authors would influence them to a more liberal consideration of those measures they had once rejected. In answering the cases made out for the prisoner upon this subject, it had been taken as a general axiom, that the judge was always counsel for the prisoner; but he begged to deny that most distinctly. The judge was counsel for public justice, and could not be considered more a counsel for the prisoner than for the accuser. He had said, that sir Bartholomew Shower was in favour of counsel for the prisoner; and he would now read an extract from his Reasons, in 1692, for a new bill of Rights, which, he thought, would bear him out in his assertion. It was to be found in the Somers' Tracts, vol. x. p. 568:—'Then, in the name of God, what harm can accrue to the public in general, or to any man in particular, that in cases of state treason counsel should be allowed the accused? What rule of justice is there to warrant its denial, when in a civil case of a halfpenny cake, he may plead either by himself or advocate? That the court is counsel for the prisoner, can be no effectual reason, for so they ought to be in every action, unto each party, that right may be done.' But the Frenchman's remark upon this phantom, for it is no more, hath sufficiently censured it: 'My counsel ask no questions for me, my counsel make no good sign for me, me no like my counsel.' And it hath too often proved, according to that poor fellow's observations, nothing but practice. No written law excludes from counsel in any case (says the great and late lord Coke); and there is the same pretence for denying a copy of the indictment: though that has been granted in case of felony, in one Kitt's case, which is in a book called Mair's Reports."—In modern times he could produce an authority which must be allowed to possess some weight. Baron Garrow, in his charge to the grand jury at Exeter, on the 16th of August, 1824, thus expressed his opinion on the subject of a judge being counsel for a prisoner: "It had been said, and truly said, that, in criminal courts, judges were counsel for the prisoners; so undoubtedly they were, as far as they could, to prevent undue prejudice—to guard against improper influence being excited against prisoners; but it was impossible for them to go further than this—for they could not suggest the course of defence that prisoners ought to pursue, for judges only saw the depositions so short a time before the accused appeared at the bar of their country, that it was quite impossible for them to act fully in that capacity." He thought such sentences from the bench must go a good way towards answering the objection, that prisoners were always provided with counsel on the bench. Another objection frequently urged was, that if counsel for the prisoners made misrepresentations or mistakes, a judge must reply back upon him in his charge to the jury; and, perhaps, produce serious evils and inconveniences. But, he would ask, whether any such consequences had followed from allowing counsel in cases of treason; or, whether there had been any complaint against the charges of a judge, from that important privilege being conceded to persons charged with offences against the Crown? It was true, that something was done by making the judges independent of the Crown; but, he contended, that the experience derived from allowing counsel, in cases of treason, was a sufficient ground for maintaining that no disagreeable consequence could arise from it, in cases of misdemeanour. Would not any thing of that kind be preferable to what happened in the case of Mr. Spencer Cooper, afterwards on the bench himself, who, when put upon his trial for murder, was told repeatedly by the judge: "Come, now, Mr. Cooper—no more flourishes; speak to the point." Could such language have been used to any counsel, employed for Mr. Cooper, on such an occasion? He remembered seeing a case in the newspapers, where two men were tried for a burglary; and one of them was reported to have cross-examined the watchmen, as to whether or not the deed was committed in the dark. The judge, upon that, observed, that he considered it a very bad sign when such men as they were seen so well versed in the knowledge of the intricate parts of cross-examination [a laugh]. It seemed somewhat like a decision pronounced by that summary legislator, Jack Cade, who is said to have told a man he would hang him, if it was only for pleading his life so well. The hon. gentleman then alluded to the case of Bellingham, who was permitted to pour forth slanders, in his defence, which no counsel would have dared to utter, and argued, both from it and other cases, that there was no danger of a judge turning himself against a prisoner, from the observations of his counsel; and that public justice would be purified and improved by prisoners being permitted to avail themselves of the assistance of counsel. Another advantage which, he calculated, would be derived from the bill it was his intention to introduce, was, that it would afford facility for the detection of perjuries in proving alibis, which were so frequent at present. It could not be denied, that there were many cases where convictions took place, which convictions, however, by no means brought home to the breast of the public, a satisfactory assurance of the guilt of the accused party. At the same time, he felt bound to admit, that wherever further inquiry was requisite after any conviction, and before the extremity of the law was put into execution, the right hon. gentleman at present filling the office of Secretary of State for the home department, was disposed to subject such a conviction to the fullest revision. Indeed, the anxiety he evinced to remove any doubt that might attend such a case, greatly reconciled the public to the exercise of that authority which was reposed in him. Yet, although this confidence was placed in the right hon. gentleman, from his high character, it would be desirable that another mode of proceeding in criminal trials were introduced, for the adoption of a better and more improved system in the dispensation of criminal justice. The labours of the right hon. gentleman, in cases of doubtful conviction, must be very great, from the difficulty of ascertaining, satisfactorily, that the conviction was an erroneous one.

This difficulty was chiefly attributable to the present mode of trial, and was found in cases where even an imputation of perjury did not attach to the evidence. Without enumerating many cases of this description, he would only advert to a recent one, where persons who were tried for a robbery of lord Cowper's steward, were reprieved, it might almost be said, at the foot of the gallows. Here the reprieve was granted, not on account of any imputation of perjury on any part of the evidence. Again, to mention another case: Catharine Ferrir was convicted of perjury, but was afterwards found innocent, and received the king's pardon. Since then, without the intermixture of perjury, a fertile and natural cause of erroneous convictions, wrongful convictions did occur, it shewed the greater necessity that existed for affording means of more full investigation and discussion in cases of criminal charge. As to the opinion of the bench upon the subject, he was aware that the existing judges thought indifferently upon the subject; but he might venture to say, that some of them were not opposed to the intended alteration, and felt the impropriety and unsatisfactoriness of the present course of proceeding. Gentlemen could not, in the course even of their own experience, fail to have experienced the unsatisfactory nature of such a trial, where, after a speech from the prosecuting counsel, and after the evidence on the part of the prosecution had been gone through, the prisoner was looking about to see if any person would say any thing for him, whilst the judge told him, that his counsel could not say any thing for him, and desired the gaoler to take him away; and the multitude in the court were satisfied that any thing but justice had been done in his regard. This was an exhibition which might often be witnessed. And what made the hardship of the prisoner the more flagrant was, that, in cases of misdemeanour, the accused had advantages in the aid of counsel, which they were denied on the more important occasion of trials for their life. Counsel, in the former cases, had opportunities afforded them of making an address, ad miserecordiam, in mitigation of punishment, and, on application to the King's bench, affidavits and additional evidence were entertained. It was unfair that that assistance should be permitted in cases of misdemeanour, which the subject was not allowed in cases of capital charge. The hon. member proceeded to advert to several trials for felony in the House of Peers, where the counsel for the prosecution claimed the privilege of reply, and even in some cases where no evidence was given on the part of the defence. This privilege was claimed and exercised in the several successive trials of lord Ferrers, lord Byron, and the duchess of Kingston. Although it might not, perhaps, be the appropriate province of that House to legislate for the mode of trial in cases of felony in the House of Peers, it was its duty to prevent and correct any abuse that they might find in the dispensation of criminal justice in the courts of the country. In adverting to cases of treason, he wished to direct the attention of the House to a remarkable expression, given under the authority of sir Matthew Hale, which was, that "the king might dispense with the prosecution for treason, and, instead of it, institute a prosecution for felony." The effect of this would be to deprive the accused party of the benefit of counsel, and of advantages to which, in a prosecution for treason, he might be entitled. At the same time that they were abolishing all useless and absurd forms, it would be well to infuse the spirit of justice into all these legislative measures. Some time ago they had abolished the absurd custom of trial by battle. No inconvenience had resulted from that alteration. But there was a more absurd custom still, which it was incumbent on them to abolish; namely, that which subjected every person prosecuted for felony to undergo the conflict of superior intellect, of eloquent competition, without the means of fairly encountering it by the aid of counsel to speak in their defence. He was told by some, that the effect of this measure would be, to procure more acquittals than now took place; by others he was told it would multiply convictions. Whether it would be attended with either of these consequences he could not undertake to say; but he was satisfied it was a measure founded in justice, and that it would be productive of great public benefit. He therefore moved for leave to bring in a bill, "to allow persons prosecuted for Felony to make their Defence by Counsel."

The *Attorney-General* said, that after the very full inquiry and ample discussion which this subject had undergone upon a former occasion, he trusted he should be excused if he declined to follow his hon. and learned friend through all the topics to which he had adverted, or to travel over any of the wide and devious ground into which he had wandered. He felt sure that he and his right hon. colleagues, would at least obtain credit for being, upon all occasions, where the administration of criminal justice became a subject of discussion in that House, most anxious that it should obtain their fullest and most deliberate consideration. He was satisfied that all those with whom he had the honour to act, were most desirous to consider any question, having for its object an alteration in the administration of criminal justice, solely with a view to the practical advantage which was likely to result from such alteration. It was in this view that he was willing to consider the question of his hon. and learned friend, from whom, if he differed upon the present occasion, it was solely because he did not think his measure calculated to be productive of the advantage, which would alone counterbalance the evils which must inevitably result from the alteration of a long-established system. His hon. and learned friend had relied much upon authorities. He could not, however, consider that this was a question to be determined by authorities. He looked upon it as a practical question, resting upon its own merits, and to be judged of by the results of experience and of facts. By such tests he had tried it. He had brought to its consideration all the experience of his office, collecting that experience from the facts which had come daily before his eyes; and, after the most careful examination of the subject in all its bearings, he had come to a conclusion directly the reverse of that maintained by his hon. and learned friend. But, while he thus denied the validity of any argument drawn from mere authority, he had no hesitation in expressing his conviction, that the measure of his hon. and learned friend, were it even to be tried by that test, would fall to the ground. For, as far as he had an opportunity of collecting the opinions of members of his own profession, he believed that, though divided, they were almost universally unfavourable to any alteration of the existing system. He had not had the same opportunity of becoming acquainted with the sentiments of the learned persons upon the bench, but, as far as he had the means of judging, he believed they also coincided with his own. He must, however, repeat his opinion, that this was not a question to be decided by authority alone. It was a practical question, and as such he had always considered it. Although he was willing to admit that some advantage might, by possibility, be derived from allowing counsel in cases of misdemeanour, he still thought that the House ought to hesitate before they admitted the principle in its full latitude; because, if counsel were once admitted, and the practice was found to be inconvenient, it would be next to impossible that they could retrace their steps, and place the system upon its former footing. In order, however, to come to a proper understanding of the question, it was necessary to consider the present mode of administering criminal justice in this country; and he would only ask the hon. members who heard him, and who must all be more or less conversant with the subject, to trace it with him, step by step, and say whether the advantage to be derived from the alteration proposed by his hon. and learned friend was such as would render it advisable to disturb a system from which so much good had already been derived. He appealed to any man who had ever been a spectator of the manner in which criminal proceedings were conducted in this country, to say, whether, under any circumstances, more coolness or collectedness, stricter impartiality, or a greater desire for justice, could be displayed. In criminal cases, the usual form was, that the counsel for the prosecution should open his case with a speech explanatory of the evidence which he was about to bring forward, confining himself to that sole object, and abstaining from all circumstances of aggravation and appeals to the passions. If, however, influenced by the zeal of the advocate, he should be induced to over-step the strict line of his duty, and indulge in any vituperative or extraneous observations, he was liable to be immediately checked by the judge, who would caution the jury not to be influenced by such remarks. He had known instances—they were, he was happy to add, few; but as there were exceptions to every general rule, such instances must now and then occur—where the judge had interposed his authority to protect the prisoner from the effects of the observations of an officious or over-zealous advocate. As a general rule, however, it was, he believed, understood, that the statements of counsel ought to have no influence upon the verdict of a jury. After the counsel for the prosecution had gone through his dry statement, the evidence which he had to offer was brought forward. It was heard dispassionately and calmly, unaccompanied by any excitement or appeal to the feelings. The evidence for the prosecution having been gone through, the prisoner was called on for his defence, which was conducted precisely in the same way; with this exception, that the evidence which he had to produce, was not prefaced by a speech from his counsel. This, however, was unnecessary; as the speech of the counsel for the prosecution, addressed itself merely to facts, that for the defence would be a mere repetition of that which was already known. The evidence on both sides having been heard, the judge, not as counsel, as was erroneously supposed, for either the prisoner or the Crown, but placed where he was, impartially to administer justice, summed up, and taking a calm, dispassionate, and collected view of the case, and going regularly through the evidence, submitted it to the jury, who were bound to return an unbiassed verdict. Now, he would ask, whether it was likely, that a system like this, in dwelling upon the advantages of which he was fortified by the recollections of the House, would derive any benefit by the change proposed by his hon. and learned friend, and whether that which he proposed to substitute in lieu of it, would not be found detrimental and injurious, rather than advantageous or beneficial? Instead of the calm and deliberate justice with which criminal prosecutions were at present carried on, the effect of allowing counsel to speak for the defence would be to convert the court into an arena, where opposing advocates might meet in professional conflict, and where, instead of endeavouring to elicit the truth by a reference to plain facts, or the real merits of the case, the time of the public would be wasted by contests between the counsel on either side, animated, as they would be, by all the excitement, zeal, and pertinacity, which such contests usually inspired. He need only appeal to such of his hon. and learned friends as were conversant with the practice of the King's-bench, to bear witness to the zeal and desire of victory which uniformly animated counsel, when employed in criminal causes in that court, as contradistinguished from the comparatively calm and quiet manner in which cases which involved merely civil rights were conducted. Under such circumstances he might be permitted to doubt, whether any advantage would be derived from adopting the suggestion of his hon. and learned friend. But, even admitting that some good might possibly result from it, he could not be convinced that the House would be justified, upon such grounds, to put to hazard a system sanctioned by experience, and to sacrifice a present advantage for a remote contingency. The measure of his hon. and learned friend was founded at best upon theory, and presented at least one evil, that if it should be found to be inefficient, there would be, as he had observed, the utmost difficulty in retracing our steps, and recurring to the system from which we had departed.—He had thus considered the subject with reference to its practical effects, for he could not help repeating, that such was the point of view in which it ought to be taken; and, however he might respect the authority of sir Michael Foster, or Mr. Justice Blackstone, upon other matters, this was a subject, to the consideration of which, the results of every day's experience ought alone to be brought, abstracted from the influence of any authority, however high. He declared that he was, with reference to the question, totally uninfluenced by any prejudice on one side or the other. His opinion was the result of calm consideration and deliberate inquiry; and he was ready to resign it as soon as it was proved to be erroneous. In examining the measure of his hon. and learned friend, with reference to its probable effects, it was necessary to consider what was the most essential requisite to the due administration of justice. That he conceived to be, that no obstruction should be opposed to the fullest inquiry and investigation. If, however, counsel were allowed to speak for the defence, and, having done so, to call evidence, the inevitable consequence would be, that the counsel for the prosecution would be entitled to a speech in reply. Arguing from analogy, this very circumstance, instead of benefitting the prisoner, as was contended, would have the effect of injuring him, by throwing obstructions in the way of a clear elucidation of the truth. In civil cases, where the counsel for the defendant was allowed the liberty of reply, how frequently was the counsel for the plaintiff deterred from bringing forward witnesses material to his cause, from a fear of the impression which might be made upon the minds of the jury by the opposing counsel's speech to evidence! He had often heard his hon. and learned friend, the member for Peterborough (Mr. Scarlett), complain of the painful situation in which this liberty of reply placed an advocate, anxious for the interest of his client, possessing evidence most material to his cause, but which he was afraid to bring forward, lest it might produce from the other side a powerful reply, by which its effects might be neutralized, and an unfavourable impression be made upon the minds of the jury. As far, therefore, as the investigation of truth was concerned, it would, in his opinion, be much better to leave the system as it was; namely, to let the evidence be fairly taken down on both sides, that no obstruction be offered upon the part of either counsel, and that the judge should afterwards impartially sum up the evidence, leaving it to the jury, upon a calm consideration of the facts of the case, to deliver their verdict.—Having said thus much, and having set out with observing that he would not follow his hon. and learned friend in all his devious wanderings, it might be, perhaps, unnecessary for him to say more. One observation, however, had suggested itself to him, which he would take the liberty of mentioning. He had before observed, that, although the judge was not to be considered as counsel for the prisoner, it was still his duty to act impartially between the Crown and the prisoner, and to give the latter the benefit of any suggestions which the circumstances of the case might seem to demand. If, however, counsel were allowed to speak for the prisoner, and if, in the course of his argument, he were to indulge in any extraneous observations, or adopt a course which called for the interference of the judge, it would then be the judge's duty to animadvert upon such line of argument or conduct; and, in so doing, he would not be unlikely, in the heat of his address (for judges were but human), to create, however unintentionally, an impression unfavourable to the prisoner in the minds of the jury. Thus, therefore, all the advantage which the prisoner had before, in the favourable disposition of the judge, might be taken from him, and his situation be made infinitely worse by the ill-directed zeal, or the indiscretion, of his advocate.—He was now brought back to the original question in this case—Was the present system so defective as imperiously to demand this alteration? His hon. and learned friend had said, that innocent men, under the existing mode of trial, were sometimes found guilty. He would admit that to be the fact, and would then ask his hon. and learned friend, whether he was prepared to say, that, under the proposed alteration, such an event would never again take place? Would it not, in all human probability, be constantly said, as it was now often said in civil cases, "Oh! that verdict was owing entirely to the admirable reply of the counsel for the prosecution?" What would be the result, then? That representations would be constantly made to the judge who tried the indictment, and also to his right hon. friend near him (Mr. Peel), that the verdict was not gained by the weight of the evidence, but by the eloquence of the counsel for the prosecution. Unless his hon. and learned friend could show that this would not be so, there was no weight in the argument which he had founded upon the circumstance, that innocent men were sometimes unjustly found guilty.—Such was the short view of the question which he had to submit to the House. He would not say of the administration of criminal justice in this country that it was perfection; for what human institution was perfect? but he would say of it, that it was superior to that of any other nation in the world. He was unwilling, therefore, to introduce into it an alteration, which even its advocates admitted would be productive of important consequences one way or the other, and which he conceived would be productive of no real advantage, but of much practical mischief and inconvenience. He admitted that, as a lawyer, he might have many erroneous prejudices upon this subject, for he knew what systems had been defended by lawyers of former times, whose motives were free from all imputation. Formerly, accused persons laboured under greater difficulties than they did at present. In cases of felony they had originally no counsel. Their counsel were assigned to them under certain limitations. But, for what purpose? To argue points of law. They were not, however, allowed to suggest them. If the prisoner found them out himself, and the court thought them arguable, counsel were appointed by the court to argue them. Another difficulty with which a prisoner formerly had to contend was, that his witnesses were not examined on oath; and an excellent reason was assigned for it. It was said, that they would thus have a greater latitude in which to speak on behalf of the prisoner; but when a conflict arose between their statements and the evidence for the prosecution, the judges always told the jury, that one party was sworn, and that the other was not. He mentioned these facts to show the House that he was aware that he might be under the influence of professional prejudices, and to prove to them that he had endeavoured to get rid of them in his consideration of this subject. He therefore conjured the House to pause before they consented to the proposition which had been made for altering the present system; because, if they should once adopt that proposition, it would be impossible ever again to revert to the practice which the experience of so many years had proved to be wholesome and useful. However it might be found, when the alteration should be made, that it was inconvenient to the administration of justice, and injurious to the prisoner, it would be impossible to repeal it. He hoped the House would excuse him for these observations, which he submitted in all candour; and he assured his hon. and learned friend, that he opposed him now, as he had done on a former occasion, upon the principle of his measure. The objections which he had raised were not connected with the details, but with the principle of the alteration which it was proposed to effect; and he therefore thought, that the present was as fitting as any future opportunity could be for the discussion.

Mr. *John Williams* supported the motion. He said, that the objections which had been made to it had failed to convince him that it ought not to receive the sanction of the House. He was glad to hear his hon. and learned friend, the Attorney-general, renounce the authority of notions which had once been looked up to with unquestionable reverence, and which he did not now hesitate to pronounce antiquated. When he heard this, and reflected upon the slowness with which improvements had been effected in all those institutions which were considered the most valuable, he was still more convinced, that no sufficient reason existed for further postponing that amelioration in the mode of administering criminal justice which it was now sought to bring about. His hon. and learned friend had very forcibly described the inconveniences which he fancied might result from the zeal and eloquence of counsel who might be employed on behalf of prisoners; but it must be remembered at the same time, that the want of such assistance left the prisoner in a most helpless situation. And, if counsel might sometimes be led by the warmth of their feelings, and the excitement of the subject on which they were engaged, into those flights of eloquence which his hon. and learned friend had spoken of, but which, he thought, was generally too highly rated, this was not the case only with the counsel of prisoners. On a recent trial at Manchester, his hon. friend, the member for Peterborough (Mr. Scarlett), was stopped by the judge in the course of his address to the jury, and, although it was neither a safe nor an easy thing to stop his hon. and learned friend, the judge had thought it necessary to do so, to prevent the impression which the speech was calculated to produce. He knew it was said, that the alteration was the less necessary, because, although prisoners were debarred from the help of counsel, they had the judges who tried them to act in that capacity. This sounded very well; but his own experience had taught him, that there was little practical advantage in it. If it should ever be his lot to be tried for a felony (and it was impossible to say how soon that might happen), he should, in the first place, take care not to be his own counsel, as, in that case, he knew, on the faith of the adage, what sort of person he should have for his client; and the person whom of all others he should next wish not to have for his counsel would be the judge. He should rely with much greater hope of success on the assistance of such an advocate as his hon. and learned friend who spoke last, or of any other person of his skill and experience. He thought, that in the course of his hon. and learned friend's observations he had viewed the subject too much in the light of a lawyer, and not as it would be likely to afford satisfaction to the people of England, on a matter of general importance. He had omitted altogether that inequality in the situations of the prisoner and prosecutor, which formed the chief ground of the present motion; and had overstated, as he thought, the inconvenience which, by possibility, could result from the change which it was now sought to effect. In his opinion, nothing could be more offensive and lamentable than the forlorn and derelict situation to which prisoners were sometimes reduced, and the desperate attempts which they made to save themselves, and which sometimes brought down upon them the fate they were endeavouring to avert. For these reasons he gave his cordial support to the motion.

Mr. Secretary *Peel* commenced by expressing his dissent from the proposition which had been submitted to the House. Two years ago the same subject had been under discussion, when the deliberations upon it were conducted with so much ability and acuteness, that he must confess—although he was aware that in doing so he should incur the charge of weakness—his opinion had oscillated, and he had entertained some doubts on the question. He thought, in the then state of his mind, that it would be better and more safe to give the benefit of those doubts to the existing system, and he had accordingly voted against the motion. The subsequent reflection and examination which he had bestowed on the subject had convinced him that he was right. He regretted that he could not on this occasion associate himself with the hon. and learned mover in the labour of reforming the legal institutions of the country; but he felt at the same time that he should little deserve the flattering opinion which the hon. and learned gentleman had expressed of him, if he suffered himself to be influenced by that consideration alone, and without the sanction of his judgment. In stating the impression which he felt on this subject, he must claim for himself to be free from all professional prejudices. As far as his own interest was concerned, the alteration now proposed would be extremely satisfactory; because it would lighten some part of that which he now felt to be the most painful part of his duties. He meant the revision which he was often compelled to make of the sentence, between the period at which it had been pronounced and its execution, when he was compelled either to decide in a few hours, or to grant a respite which might give rise to hopes wholly without any reasonable foundation. He should not object to the alteration, because it was an innovation upon a practice which had been sanctioned by years; for that would come with an ill grace indeed from one who had already more than once endeavoured to abolish customs which, if their antiquity alone could have recommended them, were entitled to the most absolute protection. Nor was it because numerous authorities were to be found in favour of the existing practice; for the same might be said of many others, of which he entirely disapproved. On both sides authorities might be adduced, the weight and respectability of which no one could doubt, and which placed the mind of any one who examined them, as lord Bacon said, "in confluentia aquarum." He was ready to admit, that whatever would tend to elucidate the truth, to procure the acquittal of the innocent, and the conviction of the guilty, recommended its immediate adoption, and the alteration of the system which prevailed; but it was because he believed the motion of the hon. and learned gentleman, if carried, would not tend to this, that he opposed it. One of the considerations on which his opposition was founded was, although not in itself a very important one, yet not to be lost sight of—he meant the expense to the prisoners in paying fees to counsel, and the delay which must be occasioned in the administration of justice. He did not mean to be understood, that any consideration of expense or delay ought of themselves to preclude an alteration like that now moved for, if it could be shown that justice was more fairly done in consequence; but he did not believe (and he had means as acute, perhaps, as any one, of knowing the fact if it were so) that any injustice, or even inconvenience, was felt by the prisoners themselves, under the actual practice. Every day almost petitions were presented to him on the behalf of prisoners, which contained various complaints; but he did not remember ever to have seen one like those mentioned by his hon. friend. Various grounds were alleged by the prisoners, but none of them complained that counsel had not been heard on their behalf. He had, therefore, reason to assert, that the administration of criminal justice was not unsatisfactory to the people of England. If counsel were allowed to address the jury in favour of the prisoner, the judges would feel and act on the trial differently from their present usual impartiality, and indulgence to the prisoner. The prisoner had, by the law as it now stood, the aid of counsel in all matters of advice, in argument on a point of law, in examining and cross-examining witnesses in every thing, but in the address to the jury, that was in all matters of real importance to him. And, if the prisoner's counsel had the privilege of speaking to evidence, the counsel for the prosecution could not be prevented from speaking in reply. But, the true way to consider the question was, not as it would serve the interest of the prisoner, but as it would promote the administration of public justice. If this measure were adopted, could it be expected that the judges, who, as an hon. member had said, had listened with forbearance to the defences made by Thurtell and Bellingham, would show the same indulgence to the counsel of such criminals? They all knew that, in the administration of criminal justice in France, where the judge was placed in such cases in a different situation from a judge in this country, there were instances in which the judge, from a desire to show his acuteness in detecting the fallacy of the arguments urged by the counsel for the prisoner, endeavoured to excite an undue influence in the minds of the jury. The cases which had been adduced by the learned member who supported the motion, seemed to him to make against it. One of the cases was that of a person named Evans, who was tried at Lancaster, where the Attorney-general for the county palatine appeared as counsel for the prosecution. That learned gentleman, with his acknowledged fairness, stated the case for the prosecution, but he also thought it right to make some observations, which, to that learned gentleman, seemed to be highly pertinent, but which were not generally indulged in by counsel for the prosecution. What did the learned judge do upon that occasion? Did he submit to the learned counsel? No. On the contrary, the learned judge interrupted the counsel, and said, "Is this fair—why state any thing in aggravation of the facts?—why state more to the jury than is consistent with fair and impartial justice?" In that case the prisoner was acquitted; and he begged to ask the hon. and learned gentleman, whether he was prepared to assert that, if the prisoner had had an advocate who was permitted to make a speech for the defence, and if the attorney-general for the county palatine, had been permitted to make a speech in reply, he would have been acquitted? He thought the hon. and learned gentleman did not feel quite satisfied that one of the consequences of this bill would not be to ensure conviction in many cases, where acquittal would take place, when the case was left in the hands of the judge and the jury, and when the counsel for the prosecution was prevented from doing more than detailing the facts, of which he intended to offer evidence. He begged to call the attention of the House to another advantage possessed by the prisoner in this country—to an advantage, which appeared to him to afford an immense security that injustice would not be done—he meant the unanimous verdict of twelve men. When he considered that advantage, he felt satisfied that there could scarcely be an instance in which twelve men would declare unanimously that another had been guilty of an offence, for which he was subject to the penalty of death, unless the proof was so clear as not to leave a doubt of his guilt. He had been told that, in Scotland, a prisoner charged with felony was allowed the benefit of counsel; but he begged to remind those hon. gentlemen who urged that as an argument in support of this measure, that the situation of a prisoner in Scotland was different from that of a prisoner in England, inasmuch as in Scotland a majority of eight against a minority of seven was sufficient to consign a prisoner to capital punishment; and where such a majority was sufficient to award such a punishment, there might be no objection to permit counsel to urge ingenious arguments, although in England, where nothing less than the unanimous consent of twelve men could procure conviction, great objections to such a proceeding might very fairly exist. One of the strongest objections to such a proceeding arose from the fact, that the jury must be unanimous; because there was great probability that out of twelve men one might be found, upon whose mind an ingenious speech might make an undue impression. He had stated his reasons for resisting the motion, and again denied, that justice was partially administered under the present system. He was unwilling to agree to any change in a system which not only insured impartial justice, but which gave general satisfaction. He was unwilling, by agreeing to any change, to run the risk of the judge being induced to reply to the observations made by counsel. And he was also unwilling to run the risk of the jury being influenced by the concluding speech of counsel. He, at the same time, was willing to admit, that there was a great deal of difficulty in this case; that the argument was with the hon. and learned gentleman opposite as to the theory; but, thinking that the proposition, if carried into effect, might be of general prejudice to the administration of justice in the country, he felt compelled to give a reluctant opposition to the motion, although recommended by its apparent connexion with the interests of humanity, by its statement upon theory, and still more by the very fair and temperate manner in which it had been introduced by the hon. and learned gentleman.

Mr. *Horace Twiss* said, that in assenting to the motion, he was not influenced by any consideration of its probable effect upon the number of acquittals; the true object being, not to acquit the greatest number of prisoners, but to secure the greatest number of right verdicts. He should, therefore, instead of inquiring whether this change of the law would be a gain to prisoners, inquire only, whether it would be a gain to public justice? He doubted, whether the law, on which a general encomium had been passed by his hon. and learned friend, the Attorney-general, was a law that provided fairly for prisoners on trial. His right hon. friend who spoke last, had truly defined it, when he spoke of it as a law, that allowed counsel to the prisoner on every issue but the main one. While it gives to the accuser the right of stating his case to the jury by counsel, it denies the same right to the accused, and then compensates this injustice to the prisoner, by the still greater injustice to the country, of allowing unsubstantial objections to the indictment. Any statement on the merits must be made by the prisoner's own lips. But the prisoner might be disabled by illness, blindness, deafness, or some other such visitation. If there were such a disability in a majority of cases, the legislature would, no doubt relax the law. Why then, in the majority of cases, this ground of relaxation does already exist: for, if the prisoner be placed in a situation, the terrors whereof are such as would take away from any average man the common resources of the human mind and strength—if this be a condition to confound and stem the sight, and the hearing, and the speech of any ordinary man, what matters it, in that alarming moment, whether those needful organs and senses have been denied to him by nature, or paralysed in him by the course of the law? Is he not, in either case, equally a defenceless man? It could not be said, that his guilt had made him dumb on his trial, for till his trial should be concluded, he was presumed to be not guilty. There was a homely saying, that "he who is his own advocate, has a fool for his client." To that incapable advocacy the law consigned every prisoner in a trial for felony, in the very crisis of his life or death. The prisoner seldom knew, till he was called on for his defence, that his counsel were not permitted to address the jury for him; so that he had to execute this difficult task upon a moment's notice. In such a state of things, what did he profit by the boasted benefits of the criminal law in general? Its excellencies might as well, so far as he was concerned, be contained in the Code Napoleon, or the Imperial Pandects. It had been said, that the judge is counsel for the prisoner. It would be more correct to call him counsel for the prosecution; for his only instructions are the depositions for the prosecution, from which, in the absence of counsel, he examines the evidence against the prisoner. On the prisoner's behalf he has no instructions at all; and, if he had, he has another task to perform, in taking a literal note of the depositions, and labouring to arrive at the truth of the case. The maxim, that he is counsel for the prisoner was untrue even in theory. The duties clashed. Did the judge take all advantages to defeat the prosecutor and acquit the prisoner? Then, as judge, he betrayed his oath of office. Did he decline to take those advantages? Then, as counsel for the prisoner, he deserted his client. The case was still worse for the prisoner, if the judge did not really wish his acquittal. Sir Robert Atkyns had observed, in his comments on lord Russell's trial, that he knew by experience what sort of counsel judges were to prisoners. That the hardship had not confined itself to political cases, nor to very early times Mr. Savage's trial was an instance; and though judge Page would have no imitators now, yet, modern judges might not be uninfluenced by other considerations, adverse to the prisoner, as his character, his demeanour, or the public consequences they might happen, in their own minds, to apprehend from his offence, A judge, summing up for an acquittal, may seem to be the prisoner's counsel; but, how if he sum up for a conviction? The prisoner's counsel, exhorting the jury to convict his own client? But the rule was then explained to mean, that he is counsel for the prisoner, only so far as to see that the prisoner suffer no wrong. Why, to that extent he was counsel for the prosecutor also, and for every suitor in every suit. The maxim was a fanciful one. No such principle, as that the judge was the prisoner's counsel, had ever been adopted in the ancient law; but the hardships arising from a want of some provision becoming afterwards apparent, some dealer in legal fictions had invented this afterthought, this humane prettiness, of treating the judge as the prisoner's counsel. And so the absurdity of refusing counsel in the extremity most requiring it, had been met by the greater absurdity still of treating, as an advocate for one of the parties, the only person in whom it would be a vice to have a bias for either. Lord Coke had assigned as a reason for leaving the prisoner without any other counsel than the judge, that "the evidence to convince him" to convict him "should be so manifest, as it could not be contradicted." Perhaps there was some cases thus clear; but there were many with circumstances more or less favourable to the prisoner. In these, there being more or less of doubt, the question on which the prisoner's life or death must turn, would be the degree of consideration, these doubts were entitled to; and yet on that question you refuse to hear his counsel. The doubt might be a reasonable one, and yet not so obvious as to suggest itself spontaneously to the court. The judge on the bench might well fail to see some points in the view, which the counsel at the prisoner's side would discriminate distinctly. The lights strike differently on the same objects, when seen from positions so different; but therefore the court should gladly adopt any indication for assisting it to catch and distinguish those points from the haze and shadow in which they rested. "I see no doubt," says the judge, "and to what end, therefore, should I hear your counsel?"—"Why, my lord, to this end—that you may see the doubt. Let the prisoner's case be stated equally with the prosecutor's, and you will see it; but do not refuse to counsel the privilege of shewing you the doubt, merely because you do not see it before it is shown you." There had been a notion, that the doubts raised would be quibbles, or trifles to swell a speech. That might occasionally happen, but in general the privilege would be used for better purposes. There was a large class of cases where the slightest variation in the proof made the broadest distinction in the offence, as where manslaughter bordered on murder. There was the whole class of cases resting on circumstantial evidence, where the minutest and most argumentative statements were made by the prosecuting counsel. If all that reasoning and inference were useful for the prosecution, could it be altogether needless for the defence? or, if needful, could it be furnished by the defendant himself? It was feared by the right hon. Secretary, that appeals would be made to the fancy of jurors. Considering the class of persons, he himself had little fear of attacks upon their imagination. But the mischief existed already in another form. Speeches were made under colour of legal objections, and observations insinuated in the shape of questions to witnesses. These practices, bordering on irregularity, produced heats among the counsel; for where the lives of their clients, as well as their own reputations, were at stake, strong feelings would needs be roused; and the more bitterly on account of the prisoner's disadvantages. A contest of fair speaking, a legitimate vent, would prevent this violence—would prevent these feelings from exploding in that collateral and irregular direction. The argument of his hon. and learned friend, the Attorney-general, then took another turn; contending, that the prisoner would be a loser by the sharp reply the judge would be obliged to make upon the counsel's heated speech. There were cases at this moment where the prisoner had this disadvantage from the judge, without any counteraction from his own counsel. In all capital cases except treason, the prisoner was without counsel; but in treason counsel were allowed as a counterpoise to the influence of government. But, if his learned friend's opinion were a correct one—that the general effect of the speeches of counsel is rather to hurt than help the prisoner, by bringing down a destructive reply from the bench—treason must be the case where counsel would be most hurtful, because treason is the offence where the judge is generally most adverse to the accused. If counsel were not injurious in treason they were much less so in offences against private society. But the privilege, though denied to felony, was not confined to treason; it had existed in all cases of misdemeanour for centuries, without even a suggestion of its being injurious, till the Attorney-general's speech of that evening. Thus, in treason, the highest offence, and, in misdemeanour, the lowest, you allowed the privilege; denying it only in felony, which was in neither extreme, but lay midway between both. Was there any thing in the actual nature of the offences called felonies to warrant a distinction? So far from it, that very often it was difficult to say, on the facts, whether the offence were felony or not; nay, it might sometimes be felony, misdemeanour, or treason, as the prosecutor pleased: as where a mob had assembled, to repeal by riot and force some unpopular statute, and certain persons had continued in that assembly for more than an hour after proclamation to disperse. That might be treated as a levying of war against the king; and then the prisoner would be entitled to receive, as lord George Gordon did receive, the full and saving aid of counsel. It might be treated as a seditious riot; then it would be a misdemeanour, and counsel would still be allowed. But if government had a mind to destroy the prisoner effectually—to fire a deadly shot, yet make no report, and sound no alarm—let them introduce into the indictment the aggravation, that the prisoner had continued with the mob for an hour after reading the proclamation to disperse, and they would convert the charge into a felony assailing the prisoner's life, and at the same time exclude the address of the counsel, by whom, peradventure, that life might have been saved. Could an exclusion, thus resting on the form of proceeding selected by the prosecutor, be vindicated as a thing beneficial to the prisoner? If it were for his benefit to exclude counsel, they should be excluded in treason, they should be excluded in misdemeanour — the benefit intended should be made uniform and equal; but, if the exclusion was a disadvantage, the prosecutor should not be permitted to impose that disadvantage on the prisoner, by a mere variation in the form of his proceeding. Neither was it only in political cases that this distinction was unreal between felony and other divisions of crime. A receiver of stolen goods, who had employed a young girl to rob her master, might be tried for the misdemeanour: the girl being taken afterwards would be tried for the felony. The receiver would be punishable only with fine, imprisonment, or whipping, and he could have counsel to defend him with the jury. The misguided girl being indicted for felony, would be forbidden this advantage; and yet to her, transportation or death would be the consequence of conviction. He was sorry to detain the House by thus enumerating cases; but was there any foundation in reason for these distinctions? or was not the felony, in very many cases, lighter in the scale of moral guilt than the misdemeanour? His hon. and learned friend, the Attorney-general, was afraid that the prisoner's counsel might be embarrassed by the consideration, whether he should call witnesses, and thus let in a reply, which, of course, must be allowed, if they allowed a speech for the defence. Even in civil cases, his hon. and learned friend had said, where the defendant's counsel did address the juries, this difficulty was often a painful one; and what could it be in criminal trials? He would ask his hon. and learned friend, whether defendants in civil cases would be willing to give up the right of addressing the jury by their counsel, for the sake of avoiding this embarrassment? If not, he was at a loss to understand why the right should be more injurious to defendants, in criminal proceedings? In truth, the only difficulty he found was, to understand how it happened, that the sanction of law should still be wanting to this common right. He could account for it only by the strength which custom lends to all old regulations—the vigour of mere inveteracy. How could any man state the nature of the doubt in graver language? if a native of Scotland—where this hardship is unknown—should meet any member of the House next day, and ask, what arduous problem in legislation had been occupying them this night, what account would he render of the disquisition? He would have to tell the inquirer, that the House had been considering the question —whether, in a court of criminal justice, it be fit to hear both sides equally; whether, though in civil cases, where only property is at issue, both sides should be equally heard, there ought not to be a difference where liberty and life were at stake? whether it might not be the best way of dealing with all prisoners who could not defend themselves, being nine hundred and ninety-nine out of every thousand, to condemn them unheard? He was glad the right hon. Secretary had disposed of the discreditable argument about the consumption of time by the addresses of the counsel. What! could the country find time enough to accuse the prisoner, time enough to convict him, time enough to inflict the punishment of death upon him, and could not find time to hear the reasons for his acquittal? The right hon. Secretary had dealt with the argument in his usual manly tone, and he believed it would have no more effect on the House than he was sure it would have with the judges of the land, who would not grudge their time for the justice of their country. He trusted the House would decide on no arguments drawn from personal convenience, or the darkling fictions of the law, but on those grounds of broad reason and plain justice —opposed, indeed, but not yet shaken— which prescribe that we should give to the accused the same chances and means with his accuser [hear, hear!].

Mr. *R. Martin* said, he could not but congratulate the House that this bill was now likely to pass into a law, though he could not help reminding them, that among the offences of "petty legislation" with which he had been charged, was an attempt of his to introduce this very principle into our laws. Three times had he tried to get it a hearing, and three times had he failed. Still, however, he could not refrain from congratulating the House and the country on its present introduction, and on the eloquence which had been displayed in its support. The exhibition of that eloquence proved that he was not unwise when he had requested the hon. member for Dungarvon to afford it his patronage, and the success of his recommendation would encourage him to submit some of the other bills which he wished to introduce to the care of that hon. member and of his friends. He trusted that by pursuing this system some of the bills, which had been so much reprobated as his, would, when he had left that House, or perchance the world, be introduced under the management of abler hands, and would sometime or other, the sooner the better, become the law of the land. When he had vainly attempted to introduce the principle of the present bill, he had adduced an instance of hardship upon the prisoner which could not have existed but under the present system. That instance proved, that judges were not the advocates of the prisoner, who was sometimes pursued, even to conviction, by their means. The instance he alluded to was this:—when lord Kenyon was on the bench, he attended an assize at Croydon, and one of the prisoners requested leave to have his trial put off from eleven to four o'clock, on the ground that a witness whom he expected from London, and who would give him a good character, could not arrive till the latter hour. The reply of the judge was, "Oh, I'll give you credit for a good character, and now I'll try you; swear the jury." The jury were sworn, and the prisoner was convicted. This would not have occurred had the man been able to retain a counsel to enforce that application. Would any hon. gentleman say, that in that case the judge had acted as counsel for the prisoner? Another instance to which he had referred was that of Bellingham, in which an application was made for the postponement of the prisoner's trial, until a person travelling by the mail coach to Liverpool, could arrive there, and procure the attendance of witnesses to prove that Bellingham was insane. But there also the application was refused. He did not allude to these cases for the purpose of proving that justice had not been done to the accused, but to show that judges did not always act as counsel for the prisoner. A similar argument might be founded upon the case of Perreau; but he would not further trespass on the time of the House. He had risen to make these few observations in support of the hon. gentleman's motion, and at the same time to recommend to any hon. gentleman who had a bill he wished to carry, to place it in the hands of some of the hon. gentlemen on the opposite side of the House. He had been accused of petty legislation; but the measure in question, which had been taken under the protection of the hon. member for Dungarvon, was a proof that all his proposals did not come under the description of petty legislation. He just recollected another act which he had proposed, which was rejected, and subsequently when introduced by another hon. member, had passed; he meant that for amending the mode of serving processes in Ireland. Had that bill passed into a law when he originated it, lord Dillon would have been saved 8,000*l.*; for it cost that noble lord that sum to prosecute a suit for a debt of only 300*l.*

Mr. *Tindal* said, he could not suffer the important question then before the House, to pass to a division without expressing his opinion upon it. From all that he had heard or learned on the subject, he was led to consider—and in which opinion he was sure he should have the concurrence of the majority of the hon. gentlemen who heard him—that all the arguments that had been brought forward in support of the proposed measure were more specious and plausible than valid and substantial. He was of opinion, that the proposed bill would not only not be a benefit, but would be the greatest mischief to a prisoner. What was the state of the law at present? A prisoner had the right to have counsel assigned him, to argue any points of law that might arise in his favour. He was also entitled to their aid to cross-examine the witnesses against him—to select, to marshal, and to examine his own witnesses, and to make what comments were necessary on the evidence as it proceeded. All, therefore, that was wanting was, that the counsel should make a speech to the jury in behalf of the prisoner, in the same manner as the counsel for the prosecutor had already made one against him. Now, what was the nature of the speech of the prosecutor's counsel? It was nothing but a plain statement of facts, unadorned by any attempts at eloquence, and unaided by any appeals to the passions of the auditors. If it were otherwise, it would instantly be put down by the judge. The evidence was then adduced; and, after the points of law, if there were any, had been argued, the facts were summed up by the judge, who left them to the jury in the most unbiassed and unimpassioned manner. His summing up, too, was always accompanied by a direction that, if the circumstances were esteemed doubtful, the verdict should be in favour of the prisoner. Could there be any method more favourable in its nature to the party accused? He thought not. Yet it was said, that the prisoner would stand in a better situation if his counsel was allowed to address the jury. Now, the first objection which struck him was this, that the immediate consequence of this must be, a change in the character of the counsel for the prosecution; who, instead of being, as now, a minister of justice, would become the advocate of a party. Feeling conscious that he was to be opposed by the opposite counsel, it was not likely that he would, as now, confine himself to a simple statement of facts. He would naturally be induced to bring all his talents into play, for the purpose of ensuring a conviction. In civil cases, the advocate, knowing the right possessed by the counsel for the defendant, omitted no argument, had recourse to every expedient which he thought calculated to prepossess the jury in his favour. Now, if trials for felony were placed upon the same footing as civil cases, was it not likely that the same exertions would be made, and the same advantages taken, to secure a conviction? Were they sure, after such a change as that now proposed, that the same degree of condescension would be shown to the counsel for the prisoner, and the same opportunities afforded him of serving the cause of his client; or rather was it not probable, that, as in civil cases, the passions would be excited, and an eagerness for conviction be produced, ready to lay hold of every circumstance, and operating to the great disadvantage of the accused? It was not very difficult to perceive that the prisoner must undergo very serious inconveniences if the privilege should be granted of allowing counsel to make a speech for him. In the first place, gentlemen employed in the criminal courts were generally juniors in the profession. Whatever their talents might be in other respects, they were not so adroit as some of his learned friends, in making out the best cases, and drawing up the most able defence. Men of the first talent in the profession could not, except in very few instances, be retained by the prisoner; because he could not go to that expense; but, would they not be retained by the prosecutor, knowing the advantage the prisoner would derive from this alteration in the law? So that, though a strong arm would thus be placed at the disposal of the prisoner, a stronger still would be brought to the assistance of the prosecutor. Besides these objections, there were one or two which he would now urge, and which related more particularly to the judges. Suppose an able and experienced counsel had been retained for the prosecution, and had exhibited his talent in making an eloquent reply; that reply might be of the utmost disadvantage to the prisoner, if the judge should be unable to destroy its effect. And, that such might be the case, he was prepared to affirm, from the experience of civil causes, in which he had known instances where, from the mere want of physical power, the judge had been unable to take off the effect of the reply of an eloquent advocate. Nor would that take place alone from the cause which he had mentioned. The judges were not required to make eloquent appeals to a jury. They were more often, and more properly, chosen on account of their knowledge of the law, than for any natural powers of eloquence. Another objection to the proposed alteration was to be found in the fact, that, according to the present system, there was often no counsel employed for the prosecution. On that point he might appeal with confidence to a learned member opposite (Mr. Denman), who presided in a court where more prisoners were tried than in any other court in the kingdom. In the presence of that hon. and learned member he would assert, that in nine-tenths of the cases tried in that court, no counsel were employed for the prosecution, while a great number of the prisoners did employ them; besides, the influence and opinion of the judge were often in favour of the prisoner. Now, suppose the system was changed, the reverse of this would be the fact. After a speech from the prisoner's counsel, strong, perhaps, in assertion, but modest and retiring in proof; unless the judge threw his weight into the scale of the prosecution, the balance would not be even; and, if he did, then the respect for the judge, and the influence of his opinion, would be directed the wrong way for the prisoner. He did not think this question was to be decided entirely on theory, but must be referred to experience. He could also call to his aid, if aid were necessary, the opinion of a foreigner, who had visited this country for the purpose of examining into her institutions; who had travelled the northern circuit for information; and who was, undoubtedly, one of the ablest and best informed men that had ever written on the subject. He referred to M. Cottu, in whose work there was an admirable description of the criminal jurisprudence of England. In that description the author had truly observed, that in England no advocate ever described a prisoner as a monster, from whose presence it was necessary to purify the earth; nor were the passions of the jury inflamed against him; nor were they threatened with the vengeance of heaven if they presumed to acquit him. The hon. and learned member read the extract, which was loudly applauded. This account, he observed, was one given by a man who came from a country in which a system, exactly the opposite of our own, was practised; and his opinion, which was in favour of the English system, was, therefore, entitled to the greatest credit, as one free from the prejudices of education and habit, and founded on a close and impartial observation of the scenes which he described.—He should now refer to another line of argument, which had been adopted on this subject. It was said, that we ought to assimilate the practice in civil and criminal cases; for that, as truth was the object of the investigation, in both instances, the means of attaining that object ought to be the same. He thought, however, there was the most material distinction. A question of civil right might be surrounded with most intricate and difficult points of law; while the simple issue, whether a man did or did not break into a house, was a plain matter of fact, and could be best elucidated and determined by the production of evidence. There was another distinction, too, between civil and criminal cases. In the former, the plaintiff was complaining of some wrong for which he sought a remedy; or claimed some right which he endeavoured to enforce. In both these instances he would urge his claim with a degree of warmth, excited by his individual interest; while, in the criminal case, the prosecutor was divested, as far as possible, of individual feeling, and became a minister of public justice. Again, in a civil case, if the counsel on either side should succeed, by their eloquence, in inducing the jury to come to a wrong conclusion, the matter might be set right by having recourse to a new trial, which could never be done in criminal cases. One of the arguments brought forward in support of the present measure was, that the course now pursued was an anomaly. He trusted, that argument alone would never be found to have much weight with the House. Besides, if they were always to act on the argument of anomaly, what greater anomaly was there than our present jury system, in which unanimity was expected from twelve men assembled from different parts of a county, whose habits varied from each other, who then, perhaps, met for the first time, who were called on to deliberate on a subject which they had never before considered, and who were required to be unanimous, or were to be brought to unanimity by hunger and thirst, and the deprivation of light, and all those comforts, the loss of which was least likely to render men unanimous? Yet such was the law of England; and no man, he believed, would be bold enough to say, that, merely because it was an anomaly, it ought to be altered. Another anomaly was to be found in the law which authorised appeals to the House of Lords. What could appear a greater anomaly, than to carry the decisions of a court, composed of the learned judges of the land, before noble persons, whose education and habits had not made them acquainted with the niceties of the law? And yet, in fact, the mode by which that high tribunal decided, by summoning to their assistance the twelve judges of England, and by adding to the learning of those eminent persons the weight of their own character and influence, was the best, both in theory and practice, that could have been devised, finally to settle long-litigated questions. The argument of mere anomaly, he should, therefore, treat as untenable. One other statement, made in favour of the measure was, that it was allowed in foreign countries. But, with respect to them, he begged to say, that a most material distinction existed. Both in France and Scotland there were public prosecutors, whose duty it was to conduct a prosecution, and who, in France, at least (for he could not speak with certainty as to Scotland), first examined a prisoner, and so became acquainted with his means of defence. Now, he wished to know, whether the supporters of this measure would clog their proposal with the condition of the creation of such an officer, armed with such a power, or whether they would not rather leave the prisoners as they now stood? On all these grounds, he should most strongly and firmly oppose the measure; believing, as he did, that it would not be a beneficial alteration to the parties accused, while he was convinced that it would effect such an alteration in the tone, the temper, and the character, of a criminal accusation, as could not fail to be mischievous to the prisoner [cheers].

Lord *Althorp* supported the motion, and contended, that, however the measure might be condemned in theory, it would, in practice, prove advantageous to persons brought for trial before our courts of criminal justice. Why had the right to be defended by counsel been conceded to persons charged with high treason? Because it was deemed an advantage; and yet the motion before the House had been resisted principally on the ground, that the bill would be productive of no advantage whatever to those accused of felony. He should vote in favour of the proposition, not on account of the present difference between our criminal and civil jurisprudence, and the necessity of assimilating them, but on account of the great difference created by the present system between an uneducated and an educated prisoner. His wish was, to destroy this difference, and to put all on the same level, as to their means of defence.

Mr. *Scarlett* began by adverting to the opinions which he had formerly held upon the subject. He then thought, that a change in the administration of the law, in this particular, was not called for. He had, however, given the subject very mature deliberation; and, if that opinion which he now held was erroneous, he could safely say that the error did not arise from any want of attention to the subject, or insensibility to its importance. He would own, however, that he then felt inclined to distrust his own opinion, inasmuch as every one knew how prone the human mind was, to be overcome by prejudice, and to think that practice best to which it had been accustomed. The chief argument which had weighed with his mind, was, that the proposed change would tend more to the conviction of prisoners than the present, and in that respect be disadvantageous to them. He would own, however, that that was not a just reason; and in what he would now say upon the subject, he should be careful to build more upon practice than upon theory. His learned friend who spoke last, had very justly said, that the present practice was so conducted as to prevent the appearance of any of that passion or eagerness in the address of the prosecutor, which was likely to lead away the minds of the judge and jury from the real facts of the case; but, if this was a good ground for the present practice in criminal cases, why not apply it to civil cases also? The investigation of truth was the object in both; and, if the practice and the results were good in the one, they must also be good in the other. There could be no distinction made between the two. The questions of law and fact were not more mixed up in the one than in the other. Why not, therefore, allow the prisoner in criminal cases to address the judge upon one, and the jury upon the other? The argument of his learned friend, if pursued in this way, would appear a reductio ad absurdum. He would next state the reasons which induced him to think that his hon. friend ought to be allowed to bring in his bill. The circumstance of a man being brought to trial, almost always amounted to a certainty of his guilt, and where the case against him was clearly proved, the counsel would have little more to do than to point out the circumstances which made for him. This was now done in civil suits; and were there advocates on both sides, it would also be done in criminal cases. Prosecutors had not stronger feelings than plaintiffs, and, in general, were less zealous in pursuing an offender than a party to a civil suit. He thought, therefore, that there could be no fear of passion mastering the advocates in criminal prosecution. It was in cases founded on circumstantial evidence, that he thought counsel for the prisoners were most required. He had himself often seen persons whom he thought innocent, convicted, and the guilty escape, for want of some acute and intelligent counsel to shew the bearings of the different circumstances on the conduct and situation of the prisoner. It was a natural disposition of the mind, that it should receive, with a readiness to believe, the well-connected chain of facts that was brought before it, and afterwards feel a disposition to explain the facts offered in defence, so as to shew the consistency of the first statement. The same was the case in civil suits. He thought the cases were few, in which counsel could be of important benefit to the prisoner; but in such cases they were of great importance. A case had occurred to himself at Manchester. The inhabitants came to him with a very modest request to present a statement of the facts to the judge, and to determine in what order the witnesses should be called. His intention was, to have stated the facts on both sides, and to have compared them together, so as to shew on which side the balance inclined, but he was prevented by the judge. The consequence was, that the prisoner was acquitted, whether right or wrong he would not say; but if he had been tried in the ordinary way, he would not have escaped. He was, by no means, insensible to the benefit which the counsel for the prosecution would derive from having it in his power to reply; but he could not enter into the ideas of his learned friend, as to feelings of rivalry and anger and of passion being mixed up with it. He would appeal to his learned friend, whether, in a case of life and death, a counsel would not be for ever disgraced, who admitted into his reply any topics connected with personal feeling. He could not bring himself to believe that it would be any disadvantage to the country, if a greater number of those who were prosecuted, were also convicted. The vast number of acquittals was one of the greatest defects of our law; and in his opinion, it would be better that a greater proportion of the accused should be convicted than at present. This was frequently caused by the prosecutor's feeling for the unprotected state of the criminal, from which he allowed him to escape. Another cause of this, was the disproportion of the punishment to the crime; and, if that were removed, and he believed the right hon. Secretary opposite intended to remove it, the motives for prosecutors abstaining from prosecution would be done away, and one great argument against employing counsel for prisoners would fall to the ground. One objection was, that, the giving counsel to prisoners would waste time. He did not believe this. At present the counsel made the defence of the accused by cross-examining the witnesses, and the judge allowed greater latitude in such a cross-examination than he would if the prisoner's counsel could speak in his defence. If the counsel had the privilege of speaking, he would not waste the time of the court in cross-examinations. They would, in many cases, when they saw they could make no defence, allow a conviction. He agreed with his learned friend, that the administration of justice in this country was pure and unbiassed; and he knew no picture more sublime, than that of the chief baron Thompson, while engaged in unravelling the evidence, and stating the case to the jury. He agreed also, that it was much better that ten guilty persons should escape, than that one should perish innocently; but he would contend, that the introduction of counsel would have a tendency to produce more convictions, and more just and satisfactory convictions, than the present system. Such were his reasons for the vote he intended to give. He did not hold his opinion so strongly as that he might not again change it. The subject was one of great difficulty, and he would vote for the bill, in order that it might be more fully discussed.

The *Solicitor-General* opposed the introduction of the bill. From the discussion which had taken place on the subject, he was sure it would be evident, as well in the House as out of it, that the question had formerly been decided upon its own merits, and not with any reference to the quarter from whence it originated. The proposal to give counsel to prisoners involved an apparent advantage, which, when examined, would prove to be only apparent, whilst the practice was calculated to introduce many evils and inconveniences. For his own part, he had never heard of that dissatisfaction at the course of justice in the criminal courts, of which an hon. member had spoken. He was quite satisfied, and so he thought was the country, with the manner in which prisoners were tried and convicted under the present system of law; and rather than agree to give the prisoner counsel, he would prefer abridging the power of the prosecuting counsel to make a speech in opening the case to the jury. If counsel were given to prisoners in cases where innocence was a matter of doubt, conviction would, in his opinion, be more certain. Some gentlemen were for the measure, because it would give the prisoner a greater chance of escape; others took an opposite view, and supported it because it would lead to more convictions. They were antipodes to each other in argument, and yet both were found on the same side. If there were any disposition in the public to be discontented with our mode of proceeding in criminal trials—if the public called aloud for a change—he should think that a reason for taking the subject into consideration. But he had no reason whatever to suppose that the public were displeased with our criminal proceedings. The learned member for Knaresborough, whom he did not then see in his place, had presided over an elaborate inquiry, by a committee of that House, into our criminal law; and in his report there was nothing stated that could induce him to believe that the public at large desired a change. He believed, with his learned friend, that if prisoners had counsel, our criminal courts would be degraded into arenas, where the advocates contended for human life. He would not say any more, but declare his intention of voting against the motion.

Mr. *Brougham* observed, that he, as well as his hon. and learned friend, the member for Peterborough, had not, strictly speaking, changed his opinion, but he had a stronger impression in favour of the measure than he entertained before. Formerly, he had an impression similar to that of the hon. and learned gentleman opposite, though not so strong as he had expressed it this night; but, after the fullest consideration, he had decided in favour of the bill. He complimented the right hon. Secretary of State for the candour which he had manifested towards this bill, allowing it to be one untinged with party. It had been stated that his hon. and learned friend, the member for Peterborough, entertained an opinion that the administration of criminal justice had not the confidence of the people. But he had understood his hon. and learned friend to refer to this particular point—that a prisoner was left unprotected when pressed by the eloquence of a counsel against him; that the people present in court, thinking that the prisoner had not been fairly treated, went away dissatisfied if he was convicted, and satisfied if he was acquitted, though he might be guilty. The hon. and learned gentleman opposite said that, notwithstanding the opportunities he had of hearing complaints from prisoners, he had never heard this alleged as a complaint. Of course the complaints urged were consistent with the existing system—such as that their counsel had not called certain witnesses, or that facts which made an impression upon the jury had not been explained. They were matters common to every system of law, not complaints against the system itself. This argument, therefore, went for nothing. There was no man, who visited our criminal courts, who did not see the fearful odds against a prisoner; a counsel speaking against him, and no one who could speak for him, and who could only get in a fact by that side-wind procedure, which had been so ably described by his hon. and learned friend. They were obvious to all those who attended our criminal courts, and they did leave an impression that justice was not administered to prisoners. His hon. and learned friend, the member for Peterborough, confirmed the statement of his hon. and learned friend who introduced this subject, and shewed that it was not sufficient that the law should be purely administered, in regard both to those who did administer it, and to those who were its objects; but that it was necessary that the administration of it should be so framed as to give general satisfaction to the people. It had been said, that, instead of that calm method of investigation which at present prevailed in the criminal courts, the allowing of counsel to prisoners would introduce into the administration of criminal justice those scenes of wrangling between counsel which were exhibited in civil cases. But, judging rather from what he had heard than from his own experience, he must say, that on some of the circuits the same scenes of wrangling sometimes took place on the criminal, as on the civil side. Arguments were often addressed to the judge upon points that arose out of the cross-examinations; objections were frequently taken, and matters were keenly contested —a state of things which, he agreed with the hon. and learned member for Peterborough, would not prevail if counsel were permitted freely to speak for the prisoner. In point of fact, the arguments on law points were really intended, not for the judge, but for the jury; and were only pretended to be addressed to the judge, merely because they could not regularly, according to the present practice, be addressed to the jury. This was often a mere waste of temper and of time, and not at all conducive to the great end of criminal justice—the conviction of the guilty and the acquittal of the innocent. Then again, by this peculiarity, were they not adding to the undue chances of escape by the criminal? The laws against criminals were already too severe; and, from that circumstance, many criminals escaped altogether, who certainly deserved some punishment. In the same manner as the prisoner was placed on trial under great and evident disadvantage, there was often an undue leaning in his favour. Another point for consideration was this: they had often heard of counsel not pressing hard on prisoners, from imagining that the prisoners had no counsel to oppose them. Now, he knew, from his own experience on the northern circuit, that in this respect there was the greatest difference between counsel—some simply stating the facts, others making speeches in the mode of harangues. But was it fitting that a matter of this importance should depend upon the discretion of counsel? The judges, it was said, would interfere; but, in reality, there was in this particular as great a difference between judges as between counsel. Some things were permitted by one judge, and on one circuit, which were not permitted by another judge, and upon another circuit, as to the latitude allowed to counsel. In the case referred to by the hon. and learned member for Wootton-Bassett (who had so much distinguished himself by his speech of that night), the judges on the northern circuit would have interfered. It was one of the grounds of complaint formerly urged by an hon. and learned friend of his, (who, he regretted, was not alive to witness the adoption of some of his humane plans, and to aid an object to which he had devoted his talents, that as long as the law left so wide a discretion, it depended upon what particular judge went a circuit — whether one view or another would be taken, and whether there would be a greater or less chance of escape. There was a most important fallacy lurking in the argument respecting the speeches of the opening counsel. The hon. and learned gentleman opposite said, that the opening was a calm, dispassionate statement of facts. Let it be so. But, as his hon. and learned friend, the member for Peterborough, had observed, the cases where counsel were most necessary to a prisoner were those where the evidence was circumstantial; and, could any thing be harder than for a prisoner's counsel in such cases to be tied up (not from employing adjurations and obtestations of Heaven and earth, as represented by M. Cottu to be heard in our courts), but from saying a word in explanation? Suppose the counsel did confine himself to a dry statement of facts, no case could be harder than for the whole web to be, as it were, united together by the juxtaposition of all the circumstances, so as to make up such a picture of the prisoner's guilt as that a man could not rid his mind of it, and fancied he saw the prisoner committing the fact. To unravel all this, would require the acutest observations of a prisoner's counsel; for in such a case nothing could tell more strongly against a prisoner than a simple detail of circumstances. The only other argument rested on the time which, in case the measure should be adopted, would be necessarily required for the trial of prisoners. The answer to that had been already given; and, supposing it to be true, that more time would be required, than was at present devoted to such trials, the only conclusion to which that would lead, would be that more time ought to be bestowed upon them and more assizes held if necessary. So that, upon the whole, he was clearly of opinion, that permission ought to be given to bring in this bill; and he had only further to state, that he approved of its object.

Mr. Secretary *Canning* said, that the lateness of the hour, and the full and able manner in which the subject had been already discussed, would be a security to the House that he would not occupy much of its time in stating the grounds upon which he would vote against the introduction of this bill. He had paid the greatest attention to what had been said on the subject, on one side and the other, and could not help applauding the very candid manner in which the discussion had been conducted. But if the hon. and learned member for Peterborough, and the hon. and learned gentleman who spoke last, had once entertained great doubts on the question, and if they came to the discussion of it with doubts only diminished, the doubts of the hon. and learned gentleman, who spoke last, being more diminished than those of the hon. and learned member for Peterborough; if such was the state of their minds, surely it might be permitted to an unlearned person, like himself, who came to the consideration of the question with a disposition favourable to the system at present prevailing, still to doubt whether the proposed change would be beneficial. It did appear to him that, with respect to such a measure as this, even in the state of doubt which had been admitted to exist, the natural course would be, to oppose the introduction of the bill, in order to prevent further discussions, which could lead to no useful result. The balance, even upon that view of the case, preponderated in favour of the present practice; but, although the balance had been equal, still he would have thought it right to oppose the change, because the present practice ought to be continued, unless the balance decidedly preponderated against it. He had heard no good arguments out of the House for the projected change, but had found, on the contrary, that the general opinion was against it. He did not mean to say, that this was conclusive, but he did say, that no change ought to take place, until those best competent to judge were clearly convinced of its expediency and propriety. Much the safer course was, to maintain the existing practice inviolate, till it should be clearly ascertained that the balance preponderated against it. As to the chances of conviction or acquittal that might prevail under either of the systems, that was nothing to their purpose. Their object was, and ought to be, only the elucidation of truth, and the correctness of decision. But, looking at the proportion of convictions, as compared with acquittals, he believed he might truly say, that the present system certainly did not operate unfavourably against prisoners. The observations which had been made respecting the introduction of a contentious mode of conducting criminal trials, certainly did operate upon his mind against any alteration of the existing system. That, he had no hesitation in saying, had considerable weight with him, and rendered him exceedingly averse to the proposed alteration. His hon. and learned friend behind him (Mr. Twiss) had stated, and stated truly, as he believed, that the effect of the present system was, to raise a presumption in favour of the prisoner; and that was unquestionably one reason against a change; but, on the other hand, although more convictions were to take place in proportion to the number of trials than actually did take place, he would not, on that account solely, be convinced that any change ought to be made in the present system. But, on the whole, he thought it the safest course not to make any alteration in the existing practice, until their minds were completely made up on the subject, and until the call for a change became much louder and more general.

Mr. *Denman* said, that, after the arguments he had heard by gentlemen on both sides of the House, and having expressed his opinion two years ago upon this bill, he had little to offer to the House. He was happy to perceive that his former arguments had made two converts, and that since the last time when this question had been agitated, his learned friends, the member for Winchelsea and the member for Peterborough, had both come into his opinion. It had frequently occurred that counsel had declined to conduct a prisoner's case where no doubt existed as to his guilt. The course practised was, to leave him to the clemency of the judge, and the justice of the country. There was another case of a peculiar nature in which the assistance of counsel would be absolutely requisite—he meant in the case of a prisoner being deaf and dumb.

Two cases of this description had come before him, in his judicial capacity, in the course of the present year. Two persons, both of whom were deaf and dumb, were placed at the bar on criminal charges. They, of course, could not hear the indictment read, nor were they at all sensible of the situation in which they were placed. They were obliged to have their cases explained by interpreters. There was no doubt, however, as to their guilt, and they were both found guilty. But suppose the proof of their guilt had been less clear—suppose they were, in fact, guiltless of the crime imputed to them, and yet incapable of establishing their innocence—what, he would ask, would be the feelings of a judge and jury in whose hands their lives or liberties were placed, if these forlorn and disabled creatures were to have no counsel to plead for them—no voice to interpose in their behalf—when perhaps only a voice had been wanted to make their innocence manifest to all? There was another case not less strong,—he meant where foreigners, who were totally unacquainted with our language, were arraigned for felony. Were they not situated like those who were deprived of speech and hearing? Were they not virtually deaf and dumb? Were not insane persons similarly situated? What would be the feelings of the right hon. gentleman who had spoken against the introduction of the measure, were they upon a jury, if the assistance of counsel could not be afforded to any one of those unfortunate persons, if they had it not in their power to have a single doubt argued for them? The Utopian picture presented by the Attorney-general of the propriety and decorum of our courts, was contrary to that which daily experience presented. He had said, that the proceedings were conducted with calmness and decorum. Those who might by chance be led into one of those criminal courts would witness the reverse of this fanciful statement. The dictum of lord Coke had been referred to on this subject—that the case against a prisoner ought to be so clear before conviction, that no counsel could withstand it. This dictum had been adopted by lord chancellor Nottingham; and yet it was the unhappy lot of that judge to pass sentence of death upon a peer, who could never have been found guilty in such an assembly as the House of Lords, if he had been allowed counsel to plead for him. Nothing could be so clear as that, if lord Stafford had been assisted in his defence by counsel, no court—not even the House of Lords, constituted as it was in those days—could have refused to acquit him. The right hon. Secretary had rested his chief argument against this bill on the ground that it was not publicly called for, and that there was no popular dissatisfaction felt from the want of such a measure as that which the bill contemplated. God forbid it should ever happen that the want of this bill should be so felt as to call forth the public dissatisfaction! It was to avoid the popular discontent that the measure was suggested. If we waited until the necessity for such a law should arrive, it was impossible to say what might follow. If the principle were just, it should be adopted at once without waiting for the season of misfortune to bring it forward. It was his fortune, as a criminal judge, to try a great number of prisoners in a year; a greater number, he might say, than any other judge in the kingdom; and the result of his experience told him, that two things were absolutely necessary in a court of justice—namely, that opposing parties should be placed on an equal footing, and that truth should be elicited, in order to bring the case to a just and equitable decision. Now he would ask, whether the practice adopted in our criminal courts was the way to render impartial justice between the parties? Instead of eliciting the truth by a fair and legitimate process, insinuations were thrown out in the cross-examination of a witness, and every stratagem was resorted to, in order to betray him into some admission which should tend either to shake the credit of his testimony, or otherwise to prejudice the case which he came to support. In almost every trial an ingenious counsel could seldom fail to advance his cause. His cross-examinations were the hinges on which the case might be said to rest, and the greater his tact and cleverness, the greater was the chance of his success. What would not be dared to be suggested out of court he fearlessly asserted within. There was no doubt whatever of the good effects which the bill would produce. It would serve to expedite and make certain the convictions of the guilty, and it would afford greater security than ever to the innocent. There was one point, on which, holding the situation which he filled, he was exceedingly anxious to be informed. He wished to know whether a judge could call upon counsel to defend a prisoner charged with felony? If that were the case, and if it were lawful to do so, he should be glad to know if there was any one gentleman in that House who would wish to repeal that law, and deprive prisoners of the benefit which it offered them? He was certain there was not one. He should now detain the House no longer than to express his satisfaction at the manner in which this question had been treated by the other side, and, indeed, by every member who had expressed his sentiments upon it. He would just add, suppose any one of the hon. gentlemen present were put upon his trial—and it should be remembered that the chances against that event were not so utterly improbable as might be imagined, for human nature was frail, and the highest in station might yet be levelled with the lowest—if such an event should ever happen, would he not wish for counsel to defend him? and if he felt the necessity of having legal assistance in his own case, why should he withhold that advantage from another?

The House divided; for the motion 36: against it 105. Majority 69.

List of the Minority.

Althorp, visct.
Bernal, R.
Browne, Dom.
Brougham, H.
Baring, sir T.
Calthorpe, hon. F.
Crompton, S.
Duncannon, visct.
Denman, T.
Drummond, H.
Ebrington, visct.
Evans, Wm.
Grattan, J.
Grant, J. P.
Honywood, W.
Howard, Hy.
Hume, J.
Hobhouse, J. C.
Jervoise, J. P.
Keckwith, S. T.
Lushington, S. Dr.
Langston, J. H.
Maberly, W. L.
Monck, J. B.
Martin, R.
Newport, sir J.
Nugent, lord.
Parnell, sir H.
Rumbold, C.
Ridley, sir M. W.
Rice, T. S.
Robinson, sir G.
Scarlett, J.
Twiss, H.
Tennyson, C.
Wilson, sir R.

Tellers.

Lamb, hon. G.
Williams, John.

HOUSE OF COMMONS.

Wednesday, April 26.

County Elections.] Mr. *Sykes* rose to move for leave to bring in a bill to declare the rights of freeholders in separate districts, or counties corporate, to vote at the election of knights of the shire of the several counties from which the said districts have been separated. The hon. member observed, that, although his motion remotely touched the question of Parliamentary reform, he apprehended that it would not be resisted even by the most timid and sensitive of the alarmists upon that subject, while it would be supported by all who thought that popular feeling was not sufficiently represented in that House. Hon. gentlemen were, perhaps, aware, that by various charters from the reign of Edward the 3rd to James the 1st, portions of counties had been separated from the rest, or, in other words, had been erected into counties corporate. In many cases the freeholders of these counties corporate had ceased to exercise their right of voting for members for the shire; and, in some instances, they did not even vote for the representatives of the counties corporate. He did not mean to deny the right of the Crown, exercised from the time of Alfred, and perhaps earlier, to divide counties; but he disputed the power of the Crown to interfere with, and deprive parties, of their elective franchise. Upon this point he felt quite decided, and he directed the attention of the House to some authorities, to show that the king possessed no such power. He relied principally upon the opinion of lord Coke, in his 4th institute, followed by a decision of the committee on the Chippenham case, and by the opinion of the court of King's-bench in Johnson *v.* Dalton. Such being the real state of the law, the object of his bill was, to declare, that, notwithstanding the separation of parts of counties by royal charter, the freeholders in these parts of counties retained their right of voting for knights of the shire. He claimed this concession as a matter of right, without trenching upon the rights of any other parties. In all there were nineteen towns—county or counties corporate; but, for various reasons, he should only include nine of them in his bill, in which the freeholders had, for many years, exercised no franchise at all, and were, in] fact, totally unrepresented. The measure he hoped to obtain leave to introduce, went no further than to declare, on the foundation of lord Coke's opinion, that the right of voting continued, and that the freeholders ought to be allowed to exercise it.

Sir *M. W. Ridley* seconded the motion. The bill, he said, proposed to go no further than to reinstate the petitioners in the rights which had before belonged to them. The Crown might establish a separate community, but could not deprive freeholders of their franchises. It was, therefore, evident, that the proposed measure was just and proper.

Mr. *Jones* supported the motion.

Mr. *Littleton* did not see that any reasonable objection could be made to it.

Lord *John Russell* said, that the petitioners were entitled to the right of voting for the return of members. He thought, however, that it would be better to confine their right of voting to the town itself, than extend it to the county at large.

Mr. *Sykes* disclaimed any intention to confer a double right of voting. His object was merely to restore the ancient constitutional right.

Mr. *Wynn* doubted whether this was a proper time for the introduction of such a bill. At all events, the hon. member ought to give the House sufficient time to consider the subject.

Mr. *Sykes* observed, that he had given notice of his intention to introduce this measure some weeks ago. If it was a proper one, it ought to pass without delay.

Mr. *J. Benett* observed, that this was merely a restoration of rights, by which nobody could be injured; and, since the right could not be questioned, the sooner it was restored the better.

Mr. *Ellice* said, that a decision on the matter in question had taken place in a committee up stairs. The freeholders of Coventry had voted for the county of Warwick, and their votes had been disallowed. The county was under great obligations to the hon. member for bringing forward this subject, but he hoped the hon. member would not press it forward with such haste as to deprive him of the support of the gentlemen opposite.

Mr. *Bright* said, that this was merely a declaratory law, and he only regretted that the hon. gentleman proposed to confine its operation to nine places. As to the double franchise, no good argument could be founded on that; for, he believed, there were few members of the House who had not a double franchise. The measure ought to be extended to all the places which had lost their ancient rights, otherwise the places not named might be deprived of their rights by implication.

Mr. *R. Smith* thought, that the operation of the bill should be, in some degree, restrained; for, if it restored all the rights that lay dormant, it might, on the same principle, deprive electors of such rights as they had acquired by usage. It was clear that the Crown could not, by any charter, take away the elective franchise.

Dr. *Phillimore* consented to the introduction of the bill, but would not pledge himself to support it throughout.

Leave was given to bring in the bill.

ELECTIVE FRANCHISE — PETITION FROM RYE FOR EXTENSION OF.] Lord *John Russell* rose, pursuant to notice, to present a petition from the inhabitant householders of Rye, for the Extension of the Elective Franchise to that borough. His lordship commenced by observing, that the town of Rye was a place of considerable importance, in which, while trade and commerce progressively improved, the elective franchise was shamefully restricted. The petition stated, that "the annual assessment for the town amounted to the sum of 3,156*l.* of which one tenth part only was paid by the freemen;" and it further stated, that "there were 32 vessels trading to and from the port of Rye, of which 28 belonged to several of the petitioners, and four only to the freemen;" and that "it never could be intended that the privileges and immunities granted and confirmed by the charters should be confined to so small a body of persons as the present corporation. Still less could it ever be intended that the administration of the law in its ordinary course, as pointed out by the charters, should have been superseded by a jurisdiction, to be administered by so small a body, and so subject to political influence, by which the administration of justice was subjected to ridicule and contempt." The petition also stated, that "the whole body of mayors, jurats, and freemen, at present consisted of only 26 persons, five of whom were the relations and connexions of Dr. Lamb." The House should know that Dr. Lamb was a minister, residing near the port of Rye, and that the representation in parliament of this borough was in his patronage, and under his influence and control. The petitioners stated further, that in consequence of the manner in which the elective franchise was disposed of in this town, that ill-blood and animosities were engendered between the inhabitants and those freemen in whom the power of voting was vested; that it was extremely irksome for them (the petitioners) to live in a place where such corrupt practices prevailed; and they wished to know whether those 26 persons were by law entitled to the right which they claimed and exercised. The petitioners denied the existence of any such right, and they contended, that it was usurped 70 years ago by the family of Dr. Lamb, "for their own private views, and to secure to themselves exclusively the return of members for the town to parliament." The petitioners continued to state, that, according to ancient records in the town, it appeared that every inhabitant thereof was entitled to vote on the payment of a fine; and, in the reign of queen Elizabeth, all persons could vote, who paid 2*s.* to the Crown upon every pound value which he should possess; and every person residing in the town had the privilege of voting on those conditions. The petitioners further stated, that several persons, freemen, who did not reside in the town, were in the habit of voting, contrary to the constitution of the town, which expressly stated that any freemen should reside therein. If this statement were true, the petitioners would have a right to go before an election committee of the House; and he sincerely hoped that, after the ensuing election, the petitioners would try the question before a competent tribunal. It was a question which affected the representative system generally, and one which ought to be taken into the serious consideration of the House. The noble lord then recited the conclusion of the petition, which prayed that "the House would take the case into its most serious consideration, for the purpose of having a committee appointed to investigate the facts which it contained."

The Petition was then brought up. It purported to be the petition of the Inhabitant Householders of the ancient town of Rye, in the county of Sussex, setting forth,

"That, in the last session of parliament, the petitioners caused a petition to be presented to the House, setting forth, that the town of Rye was one of the ancient towns of the Cinque ports of this realm, and subject to the same laws, customs, and usages, and entitled to the same privileges as the other Cinque ports; that various charters had, from time to time, been granted to the Cinque ports, and to the town of Rye in particular, which confirmed to the inhabitants the privileges enjoyed by them and their ancestors, but that of late years certain individuals, for the purpose of maintaining an undue influence over the affairs of the town, had assumed to themselves the right of admission to the freedom of the town, and thus deprive the petitioners and the other inhabitants of those rights and privileges which the charters and immemorial usage had conferred upon them, and praying that the House would be pleased to appoint a committee to investigate the facts contained in the petition, for the purpose of enacting such declaratory or new laws respecting the same as to the House shall seem most fit and proper; that since such petition was presented to the House, the petitioners have caused the records of the town to be searched, by which it clearly appears, that all the inhabitants bearing the burthens of the town, and paying scot and lot, were entitled to their freedom upon payment of a certain fine, which is in strict accordance with the several charters, and with reason, justice, and equity; for the petitioners humbly, though confidently submit, that without the general aid of the inhabitants, the ships and other services due from the Cinque ports and their members to the Crown could not have been supplied; that in consideration thereof it appears by the records of the town, that an assembly on the 26th of March, in the twenty-third year of the reign of queen Elizabeth, it was decreed, that, in consideration of the great charge the town was at with the Burgesses to the parliament, the which the revenues of the town were no way able to bear, a cesse should be made, taxed, and gathered upon every person inhabiting within the town of Rye or liberties of the same, and that every one having lands or tenements should pay two shillings upon every pound, and every one having only goods should pay twelve pence upon every pound; that at another assembly on the 10th day of March, in the thirty-eighth year of the same queen's reign, it was agreed that another general cesse towards the setting forth the ships appointed by order of the Privy council, should be made upon the lands, goods, and catals of the inhabitants of the town and liberties; that at a general brotherhood or guestling of the Cinque ports, the ancient towns and their members, at New Romney, on the 21st of July 1691, it was stated that the ports' accompts in the Exchequer for several years before Michaelmas 1689 had not been passed, nor the quietus est sued out, so that process might perhaps issue against the ports for omission thereof, it was therefore ordered, that the estates of the inhabitants of the ports should be defended and discharged of such process at the public and common charge of the ports; it was also stated, that inhabitants of the ports were oftentimes compelled to appear and answer at the suit of a common person in the court of Exchequer, contrary to their charter and privileges, for matters that ought to be determined in the chancery of the Cinque ports; and that, whereas the ships and vessels belonging to the inhabitants of the ports were by the ancient charters freed from the payment of buoyage and light money, as it was awarded in the reign of the late king Charles the 2nd, yet disputes did often thereabouts arise, because the words of the exemption were not quite so plain as could be wished; also, that of late years the inhabitants of the ports had been made collectors of foreign taxes out of the liberties of the Cinque ports, contrary to their ancient charters and exemptions; upon these grievances the ports council recommended application to be made to the lord Warden for redress, and that every town send to their barons in parliament; that by the early entries in the records of the town of Rye, it clearly appears that all persons resident within the towns, and contributing to the burthens thereof, were constantly in the habit of applying to the courts held there for their freedom, which was invariably granted to them, although the fines varied according to the change of the times, and there is no bye-law which in any manner abridges this right, nor any usage against it, but an usurpation which has sprung up of late years, and is continued for the purpose of supporting a parliamentary influence in the town, that by a decree made by the mayor, jurats, and commonalty of Rye, at an assembly in the fourth year of the reign of queen Elizabeth, it was ordered, that all men born within the town should be made free, paying therefore twenty-shillings; and, on the 1st day of April, in the twelfth year of the same reign, a further decree was made by the mayor, jurats, and commonalty, 'that from thenceforth no person or persons not born in the town should be made free under the pain of twenty-shillings, and that every person born in the town being not a freeman's son at the time of his and their birth, should be made free paying the sum of ten shillings;' that both these decrees were acted upon in numerous instances for several years after they were made by the admission in pursuance of them, of persons born in the town, and they have never since been repealed or abrogated; that members to parliament have been regularly returned for that town from the forty-sixth year of the reign of king Edward 3rd to the present time, and that in the elections of members which took place on the 13th of December in the fifth year of the reign of queen Elizabeth, and also on the 13th of April, in the fourteenth year of the same reign, the persons who had been admitted to their freedom in pursuance of the decrees before set forth exercised their elective franchise; that by the constitution of Rye, as appears from the ancient records of the town, and the ancient usages there, the mayor, jurats, and freemen, all ought to be resident within the town, and that any of them residing out of the town for a year and a day, lost their freedom till they returned to reside again within the town, and dwelt for a year and a day, which, the petitioners humbly submit, is in strict accordance with the ancient common law of the land; that for a considerable number of years past the management of the affairs of the town, and the regulation and government of it, as well as the administration of the once useful and extensive jurisdiction of the place, have been under the immediate influence of one particular family who have nominated all the officers of the corporation, and arbitrarily regulated the admission of freemen, and who, for their own private views, and to secure to themselves exclusively the return of members for the town to parliament have, by usurpation, restricted the rights of admission to the freedom of the town within the narrowest possible limits; that for this purpose they contend that the right of admission to the freedom of the town is to be acquired only in three ways, viz. by being the eldest son of a freeman, born after his father was made free, by being nominated by the mayor, and by being elected with the consent of the majority of the freemen, although neither of these modes is justified by the ancient constitution of the town, and the particular periods at which the usurpations establishing them commenced can be distinctly traced; that the present mayor, jurats, and freemen, are entirely under the influence and control of the reverend

George Augustus Lamb, a doctor of divinity, and incumbent of three parishes near Rye, who assumes, contrary to the constitution of the town, to act as a jurat of the town, although he is not and has not for several years past resided therein; that the whole body of mayor, jurats, and freemen, at present consists only of twenty-six persons, five of whom are the relations and connexions of doctor Lamb; that at the assemblies held for the town in the reign of queen Elizabeth there were frequently present forty commoners; and by a decree made on the 5th of September, in the seventeenth year of that reign it was ordered, that a common council of twenty-four freemen should be appointed, and assist in the affairs and management of the town; and by subsequent entries it appears that they were appointed, and that such body continued to act for several years; that, for the last fifty years, with very few exceptions, two persons, each of them a member of the family of doctor Lamb, have alternately filled the office of mayor of the town, and the same office has always, during the same period, been filled by a member or near connection of his family; that, for the purpose of supporting the same undue influence, which has so long been exercised over the town, the reverend William Dodson, who is a clergyman of the church of England, and a brother-in-law of Dr. Lamb, was this year elected mayor, contrary to the constitution of the town, Mr. Dodson not residing within the town, but nearly two hundred miles from it, at Claxby, in Lincolnshire, in the neighbourhood of which place he has three livings, with cure of souls, and also acts as a magistrate there; that Mr. Dodson being consequently wholly unable to perform the duties appertaining to the office of mayor at Rye, has pretended to appoint William Phillips Lamb, a brother of Dr. Lamb, to be the deputy mayor, although he was the last preceding mayor; and, therefore, incapable by law to be the mayor for this year; but, nevertheless, Mr. William Phillips Lamb, in violation of the law, presumes to act as mayor in the absence of Mr. Dodson, who, it was well-known at the time of his election, could not execute the duties of that office by reason of his legal obligation to reside at his livings in Lincolnshire; that Mr. Dodson has no residence in or near Rye, but occasionally comes to the neighbourhood for the purpose of giving a colour to his election, on which occasions he visits at the house of Dr. Lamb's mother; that at an assembly which was lately holden for the town, Mr. Dodson attempted forcibly to exclude one of the freemen, who was known to be favourable to the claims of the petitioners, upon the ground of his not having resided within the town for a year and a day, although Mr. Dodson himself had never resided in or near the town; that several of the petitioners sent a statement of the proceedings of Mr. Dodson to the bishop of the diocese in which his livings are situate, in the confident hope that his lordship would compel him to resume his clerical functions, and prevent the continuation of so flagrant an abuse of the pastoral character, but the petitioners have met with no redress; that Mr. William Watson, who was appointed by Mr. Dodson, and who acts as one of the jurats of the town, is Collector of the Customs for the town and port, the duties of which are wholly incompatible with his magisterial functions; and the petitioners humbly submit, that the exercise of the latter must at all times create the greatest distrust and dissatisfaction in the minds of any of his majesty's subjects with whom questions may arise relative to the administration of the laws of the Customs; for, in many of such cases, Mr. Watson may himself be the prosecutor, and will necessarily be supposed to exercise an improper influence over the minds of his brother magistrates, several of whom are related to him, while, on the other hand, his majesty's revenues may be seriously prejudiced by a conscientious feeling on the part of Mr. Watson, that such connection and influence will operate unjustly towards any person who may render himself amenable to the penalties inflicted for an infringement of those laws; that Mr. Nathaniel Procter, who was also appointed a jurat of the town by Mr. Dodson, was formerly the Collector of the Customs at Rye, but has since retired upon a superannuated allowance from his majesty; that Mr. William Procter, who acts as one of the freemen, is Comptroller of the Customs of that town, and does not reside within the same, and that three others of those who act as freemen hold situations under his majesty's government; that Peter Brown, esquire, who was also appointed a jurat by Mr. Dodson, was, at the time of his nomination, and still continues, at Copenhagen, in Denmark, he being attached to the suite of sir Benjamin Bloomfield at that city, and never having resided at Rye; that Robert Knight, esquire, who was also appointed a jurat of the town by Mr. Dodson, resides for the most part in London, and at his seat in Warwickshire, and has never resided at Rye; that Dr. Dodson, the brother of Mr. Dodson, who was also appointed a jurat of the town by him, has never resided at Rye, he being a Doctor of Civil Law, and being, consequently, occupied in the ecclesiastical courts at London; that several of the petitioners, who are inhabitant householders within the town, paying scot and lot, and who were all born within the same, having made repeated applications to the mayor, jurats, and freemen, to be admitted to their freedom, without effect, applied to the court of King's-bench, on the 2nd of February last, for a rule for a mandamus against the mayor, jurats, and freemen, to compel them to admit the last-mentioned petitioners to the freedom of the town; whereby, if a rule had been granted, the petitioners were in hopes that their rights would have been put into a course of constitutional inquiry, before a jury of their countrymen; but the court refused to grant the rule in the first instance, and thus prevented the petitioners from availing themselves of the prerogative writ of mandamus, and the constitutional inquiry by a jury, upon the grounds of the last-mentioned petitioners not showing an inchoate right for their claim, and that the particular mode of making freemen, which had been exercised by Dr. Lamb and his family for the last sixty or seventy years, ought to prevail, and that the decrees for the admission of persons born within the town were anomalous, although the petitioners most confidently assert, that they were in direct conformity with the ancient law and practice of the land and settlements by birth, and in conformity with the ancient law still recognized by the poor-laws; that the affidavits upon which the motion was founded, set forth the charters which were granted to the Cinque Ports, and to the town of Rye in particular, the decrees made in the reign of queen Elizabeth, and the usage in pursuance of them, as well by the admission of freemen as by the return of members to parliament, the dates at which the usurpations upon the rights and privileges of the town had commenced, and the several abuses before enumerated; that none of the charters granted to the Cinque Ports, or the town of Rye, prescribe the mode of making freemen, nor can those who now act as mayor, jurats, and freemen, show any foundation for the course pursued by them in the nomination of freemen; that the petitioners have ever held, and still hold, in the highest veneration, the legal institutions of their country, and they therefore bow with submission to the decision which has been pronounced against them; but, while respect for the authority of the learned judges who preside over his majesty's court of King's-bench constrain them to admit this decision to be law, reason and reflection force them to the conclusion, that it cannot be justice; because, the petitioners humbly submit, that, if an usage of sixty or seventy years, which can be clearly shown to be an usurpation, be allowed to prevail against the exercise of all former rights, no remedy can be afforded in the courts of law for any inroad which time, or the arts of interested and designing men (which are too successful against their poorer, unresisting townsmen, who have neither power nor inclination to oppose them) may have made in the constitution of the country, or of any privileged place; for the recovery of ancient rights is attended with so great an expense, and circumstances so frequently occur to prevent their value from being appreciated, that few instances can be adduced in which an usurpation similar to that exercised by the mayor, jurats, and freemen of Rye, could not be supported by the usage of sixty or seventy years; that the annual assessment for the town amounts to the sum of 3,156*l.* 13*s.* 6*d.*, of which one-tenth part only is paid by the freemen; that there are thirty-two vessels trading to and from the port of Rye, of which twenty-eight belong to several of the petitioners, and four only to the freemen; and the petitioners humbly submit, it never could have been intended that the privileges and immunities granted and confirmed by the charters, should be confined to so small a body of persons as the present corporation, nor could they have maintained the vessels formerly required for the service of the state, still less could it ever have been intended that the administration of the law in its ordinary course, as pointed out by the charters, should have been superseded by a jurisdiction to be administered by so small a body, and so subject to political influence, by which the administration of justice is subjected to ridicule and contempt; that land and other property have at various times been given to the town for charitable purposes, but they have been so grossly mismanaged, that all benefit from them is nearly lost to the town; that courts ought regularly to be held by the mayor and jurats for pleas of debt arising within the town, which might be rendered of the greatest advantage to the inhabitants in the recovery of small debts, but all proceedings in them have been so wholly discouraged, and there exists so great a distrust in the minds of the inhabitants of the persons who would preside over them, that, although a Court of Record is nominally held every alternate Wednesday, no debt has been sued for in that or any other court in the town for the several years past; that the town and port of Rye are well situated for the carrying on an extensive commerce, and would rapidly increase in wealth and prosperity, were the energies of the petitioners and the other inhabitants allowed their full scope, but public spirit is broken, and the exertions of the inhabitants are constantly crippled by the monopolizing and corrupt influence of Dr. Lamb and his adherents; that the situation of the town and port of Rye is also well adapted for affording defence to the adjacent coast in the time of war, which, from its contiguity to the coast of France, is much exposed to the attacks of an enemy, and it is therefore highly important to the country at large, that the power and influence of that town should be secured upon the firmest basis; that the petitioners have ever borne, without repining, the burthens which have been imposed upon them for the service of the state, they have at all times embarked with pride and satisfaction in any cause which had for its object the security of the Throne or the welfare of the nation, and therefore they feel the more acutely the unjust deprivation of their rights under which they labour; they feel it to be an insult offered to the religion of the country, and to every constituted authority in the kingdom, when two clergymen of the church of England, the one a doctor of divinity, and the other a rector of three livings, with cure of souls, in perfect derogation of their ecclesiastical character, desert the flocks committed to their charge, and presume to interfere in the temporal government of the people of a town in which they are not resident, and in the privileges of which, by the constitution of the place, they have no right to participate; that such flagrant and unjustifiable conduct cannot fail to lessen the minister of the Gospel in the eyes of all honest and reflecting men, and seriously, to injure the Protestant establishment of the country; that these parties, like all others who are conscious of the errors they have committed, and yet are unwilling to make reparation, seek only to cover one species of oppression by the exercise of another, every day giving rise to some fresh act of spleen or arbitrary power; and so sensible are the petitioners of the degraded and hopeless condition to which they are reduced, that unless some speedy relief be afforded for their grievances, they have determined to embrace the first opportunity of disposing of their property in the town, and removing their persons and fortunes to a soil more congenial with the character and independence of Englishmen, and better calculated to yield them prosperity in their commercial pursuits; that the petitioners are well aware, that, by the theory of the law and the constitution, the petitioners could remove from their present situations many of the mayor, jurats, and freemen, as having been illegally selected, and now usurping their offices, whereby the numbers of the mayor and jurats would be so reduced, that they would be unable legally to continue their existence, and they could apply to his majesty's court of King's-bench for a Quo warranto against Mr. Dodson, for illegally exercising the office of Mayor; but the proceedings in that court would be attended with so great an expense to the individuals who should seek the accomplishment of these objects, that no person can be found to undertake them, and the costs which the petitioners have already incurred in seeking to establish their rights are so very considerable, that they are unable to bear the further charges which would be necessary for these purposes; that the petitioners would also assert their right to vote at elections of members of parliament, but the proceedings before committees of the House to try the merits of election petitions, as well as the proof necessary to support the same, are so expensive, that the petitioners are unable to bear the burthen of them; that the petitioners have no doubt that if a proper inquiry be instituted by a committee of the House into the facts of this petition, that the same may be throughout supported by proof, and that the House will see the expediency of making some general regulations, or enacting declaratory laws to obviate the evils of which the petitioners so justly complain; the petitioners therefore most humbly pray, That the House will be pleased to take these matters into their serious consideration, and to appoint a committee to investigate the facts relative to the borough of Rye, and other boroughs, for the purpose of enacting such declaratory or new laws respecting the same, as to the House shall seem most fit and proper."

Ordered to lie on the table.

BURMESE WAR.] Mr. *Hume* said, that, seeing the president of the India Board in his place, he would take the opportunity of asking, whether, in the present state of the session, that right hon. gentleman was prepared to lay any papers before the House relative to the transactions that had taken place at Barrackpore? When he had last asked this question, the right hon. gentleman had stated, that the late Commander-in-Chief was shortly expected to arrive in this country, and that, in all probability, that officer would be able to give the desired information. He was desirous of knowing whether it was the intention of the right hon. gentleman to furnish the House with this information, and with any papers explanatory of the progress made by the British forces in the Burmese territory?

Mr. *Wynn* said, that the question of the hon. gentleman referred to two perfectly distinct subjects. He had no hesitation in saying, with regard to the first point, that he did not think it expedient to make any communication to the House; as to the second point, certainly government had received despatches containing further information respecting the occupation of the island of Shapooree, which he intended to lay before the House.

Mr. *Bright* complained that no documents respecting the Burmese war had been laid on the table of the House, and it appeared that none were to be, except with relation to the petty island mentioned by the right hon. gentleman. The House were bound to inquire into the circumstances of this war, which so deeply affected the welfare and safety of our great Indian empire. Nothing at present was known respecting the condition of our territories, nor whether we were likely to keep or lose them, nor whether the war was likely to be short or long. It was his opinion, that the members of that House would neglect their duty to their constituents, and he could tell them their constituents would think so too, unless they entered upon the consideration of that most important subject. He called upon his majesty's ministers to give some explanation as to these matters before the House parted. Whether the East-India company was able to bear the expenses of this contest, the public were quite in the dark. He presumed the India Board were perfectly aware how the army invading the Burmese territory was situated, and particularly how it was affected by the dreadful pestilence from which it was suffering. It was desirable to know what hope there was for the future, and what were the grounds for the fears and anxieties that existed. He was surprised at the silence that had been observed in that House as to this war. Out of doors it was far otherwise. The most alarming reports were in circulation. It was totally impossible that the Indian government could be without despatches, and he trusted they would be laid before the House. The public mind was greatly agitated, and the call was loud and general for information regarding the progress of this most calamitous, unprovoked, and unnecessary war.

Mr. *Wynn* said, it was quite clear that the hon. gentleman had not given himself the trouble to read any of the papers which had been presented to the House. The hon. gentleman evidently did not know their contents. He was ready to give an answer to any specific question which might be propounded to him by any hon. member, but it was not usual for persons who presided over the department confided to him, to give explanations as to news-paper paragraphs. If such was considered by the hon. gentleman to be the duty of any minister of the Crown, it was a doctrine perfectly new. He had never before heard of it, and did not mean to act upon it. He certainly thought that this was not a convenient opportunity for going further into the subject. The gazette would continue to publish, as heretofore, full information concerning the progress of the war. More would have been published, if it had been received, and government had deemed it expedient to give it publicity. It was true, that the troops in the Burmese territory had suffered severely from disease. This circumstance was a matter of regret, but not of reproach.

Lord *J. Russell* was not disposed to impute blame to any party, with regard to this important subject. There were, however, many questions connected with the war, which deserved consideration, both as to its origin, and the mode in which it had been conducted; and a still more important one, whether any opportunity had been neglected of concluding an honourable peace, which might have put an end to the sufferings and losses of our gallant army, and to the expense and perils of an arduous war. It was the duty of the House to ascertain that point from the ministers of the Crown. Certainly it was true, that the present government of India did not inspire that confidence which existed during the times of lord Wellesley and lord Hastings. There was a general feeling of dissatisfaction, which, he was afraid, was too well founded. He wished to give his majesty's government an opportunity of explanation as to that point; and if the right hon. gentleman would fix any day next week, it would prevent the necessity of bringing forward any motion for the purpose of obtaining it.

HOUSE OF COMMONS.

Thursday, April 27.

Navigation Laws.] Mr. *Ellison* rose to present a petition from North Shields, to which he wished to call the particular attention of the president of the Board of Trade. The petitioners stated, that they had embarked a large capital in the carrying trade, and that, though they objected to the Reciprocity Duties bill, they had not thought proper to petition against it; but from the distress with which they had been overtaken, they were now obliged to throw themselves upon the justice of the House, and to entreat protection against foreign competition. They prayed, that protecting duties might be imposed on foreign shipping; but he hoped that other means of relief might be devised, and that, instead of such a measure, the withdrawal of some of those burthens which pressed most heavily upon them might effect the same object.

Mr. *Huskisson* begged to acknowledge the courtesy of the hon. member, in giving him intimation of the petition which he had brought before the notice of the House. A similar petition had been presented about two weeks ago, when he happened to be absent from the House. He had no wish that the petition should not have been presented, but he thought it somewhat hard that his accidental absence should have been made the ground for a charge of neglect. The truth was, that on that day he had been engaged till near five o'clock at his office on the business of his own department. He had then left to go to another place on business of the same nature, after transacting which he had come immediately to the House. It was quite impossible that ministers could be always in the House while petitions were presented requiring their presence, unless some intimation were previously given. He was sure that they would ill discharge their duty to the public by spending three or four hours daily in the House, while petitions were presenting, in order to take the chance of there being, once in a fortnight, some petition to which their attention ought to be called. He did not think that the presenting a petition was a very favourable occasion for information on a subject of such importance as the state of our shipping interests and our navigation. He would, however, bring forward a motion on this subject on Tuesday next, for the express purpose of laying before the House what he conceived to be the present state of the British shipping, and what had been the effect of the Reciprocity laws which had been alluded to. He hoped he should be able to convince the House, that the effects of these changes had not led to any of those injurious effects which some persons had anticipated. Such an exposition as he was prepared to give on the state of our shipping, and other great interests connected with it, would, he hoped, satisfy parliament, that these interests have not been neglected by those to whom they were more particularly intrusted.

Sir *M. W. Ridley* expressed his satisfaction at what had been stated by the right hon. gentleman. He had no doubt that the facts would fully justify the measures which had been taken; but still, a public expression of them would be very satisfactory to the shipping interests.

Ordered to lie on the table.

REFORM OF PARLIAMENT.] Lord *John Russell* said, that he rose in pursuance of the notice he had given, to bring before the House the all-important question of a Reform in Parliament. On two occasions formerly it had been his lot to bring this subject under the consideration of the House; but, on no occasion could he have found any period which, in one most material point of view, could have proved more favourable to the measure which it was his object to recommend for their adoption—he alluded to the tranquillity which prevailed at home, and to the pacific state of our foreign relations. In bringing forward the present motion, he had almost determined to let it rest upon the reasons which he had, upon the two former occasions, felt it his duty to urge upon the attention of the House. He had been almost resolved to leave honourable members to the effect of those considerations which, as well within the walls of that House as out of doors, had been operating on the minds of men, and, he was persuaded, preparing the way for sounder views and juster principles on this great national question. But more mature reflection led him to the conviction, that it would be much more expedient to lay before the House those principles and facts on which he founded his judgment—principles which, so far from consisting, as had been repeatedly said on the opposite side, of mere empty declamation, would appear when calmly stated to the House, to be nothing more than the simplest and plainest reasonings, intelligible to every mind, not perverted by prejudice, and to every heart not corrupted by interest. One of the chief grounds on which, when he last addressed the House on the question of Parliamentary Reform, he had rested the opinions and recommendations then urged, was, that it was a matter of paramount importance to adapt every government to the wants and wishes, the prejudices and existing state of the country, for whose use it was intended. This, so far from being a piece of empty declamation, was an axiom which no rational or impartial man could deny. Even the Turkish government was not unsuited to the people. The Sultan might, in the unlimited indulgence of his caprice, cut off the heads of fourteen men per day, without even the appearance or show of judicial proceeding; but he dared not so far depart from the established usages of the people, as neglect to appear before them at the stated intervals which custom had prescribed. He might, without control or responsibility, commit whatever atrocities he thought proper, but to outrage the principles on which his authority rested would never be borne even by his submissive subjects. If it were true of Turkey, that its government was compelled to conform to the condition of the people, with how much more truth and reason did that principle apply to the government of England. Now, he trusted that the House would concur with him in thinking, that the people of this country had arrived at that pitch of knowledge, intelligence, and wealth, which entitled them to a greater share in the election of their representatives than they had hitherto enjoyed; that there did, at the present moment, exist in this country, a class of individuals capable of judging of political questions much more numerous than at any former period, and much more numerous than ever existed in any other nation. When he had last submitted his views on this subject to the consideration of the House, he had gone into several calculations from which he deduced the great increase in the diffusion of knowledge, which had taken place within the last thirty years. These calculations he did not now deem it necessary to repeat; for he could not entertain the slightest doubt that he had then fully proved his position. He would therefore take it for granted, that there never had existed, in any age or country, a people more capable of exercising, or more worthy to be intrusted with, the privilege of electing parliamentary representatives.

Having already thoroughly established, as he conceived, this truth, he would next proceed to examine the state of that House, with the view of determining how far its condition called for change, when he had every expectation of being able to make it appear, that the House of Commons, as at present constituted, so far from being elected by a more numerous, or, relatively considered, a more wealthy class than in past times, it absolutely represented those who were less numerous, less intelligent, and less wealthy—that, in fact, the elective franchise in this country was vested in a very small body of the people. At the same time, he did not go the length of affirming, that the popular principle had no existence or influence in that House: on the contrary, he was perfectly willing to admit, that some few were to be found in that House who had been sent thither by a popular mode of election, and who might be truly said to speak the sense, and sympathise with the feelings, of the people of England; but they were more than overpowered by the number of those, who, if sent in virtually by individuals, were elected by very small bodies. If this were so, and he did not see how any thing like a successful contradiction of it could be offered, and if the people had arrived at a degree of wealth and intelligence such as no people had ever attained before, and if at the same time it appeared that the state of our representation was so vitiated and corrupt, that, instead of existing on its original principles, it had every day become less and less popular—that, instead of the elective franchise being vested in the hands of the many it had fallen into the possession of the few—that with such a discrepancy between the condition of the people and the constitution of the government, as unhappily now existed, he could not conceal his apprehensions, that one day or other such calamities would ensue as neither the constitution nor the country should ever recover from. It was from such considerations as these that he inferred the necessity of an alteration in the constitution of that House, and they were such as least of all deserved to be thought to partake of declamation. Nothing less admitted of being contradicted in point of principle, or denied in point of fact.

Having now arrived at this point, he would proceed to inquire, what were the grounds on which the people of England were entitled to claim, as a matter of right, a reform in that House; and, in proceeding with this inquiry, he felt much strengthened in contemplating the history of our constitution, and in looking into its origin. Edward 1st was the earliest amongst our kings by whom a parliament was called. By him there were, first, the knights summoned to represent the counties; and, secondly, the burgesses, to represent the community of the boroughs. With respect to the knights, it was incontestible that they were elected by all the freeholders of the county. It had, at one time, been supposed, that none were entitled to vote for knights of the shire except those who held land in chief from the Crown, but recent researches had shown that this opinion was erroneous. By an act of Henry 6th, this unlimited privilege of voting at county elections was circumscribed, as it was then stated, for the purpose of avoiding the inconvenience resulting from the outrageous numbers assembled on those occasions. As regarded boroughs, it was equally true that their representatives were elected by the whole body of the inhabitants; for, in point of fact, all the inhabitants were burgesses. By reference to the ancient writs, it would appear, that all the boroughs which were able to defray the expense of a member of parliament in his attendance were directed to send a representative. These ancient writs would also show, that so far from the representatives having been elected by a select corporation, such as he mentioned yesterday, of perhaps twenty-six, where four or five were sufficiently influential to govern the rest, it was the original practice to have all the inhabitants included in the class called burgesses, and equally entitled to vote at the election of a member of parliament. There was an authority, which he would now quote from—an authority which honourable members opposite would be little disposed to question, and which, in no quarter, would be disputed as to its legal value—he meant that of the lord chancellor. That noble and learned lord, at a hearing before the Privy Council, had stopped an advocate, for the purpose of giving his opinion, which was to the effect, that anciently all the inhabitants of boroughs, both in Scotland and in England, were entitled to vote. He would, therefore, take it for granted, that, in point of law, this right was fully established, and that the original principle of our constitution was—first, that the knights of the shire were elected to serve in parliament by all the freeholders of each county; secondly, that the citizens were sent from the cities by the inhabitants at large; and, thirdly, that the boroughs possessed the same privileges. He repeated, however, that the right of sending members to parliament was confined to those boroughs which possessed sufficient wealth to defray the charge of attendance. In case any borough happened to be too poor to defray those expenses, a precept was always issued to the sheriff of the county in which it was situated, with the intention of meeting such an inconvenience. It had been suggested, that some statute might now be framed to relieve those boroughs which had gone to decay, and in which the population had greatly decreased, from the burthen of returning members; but, probably it would be considered as throwing a discredit on such boroughs to state, that they were too poor; besides, as the money transactions which took place between the electors and the elected were very different now from what they were formerly, when the representatives were paid wages by their electors, it was not very likely that the boroughs themselves would be willing to have this burthen taken off their shoulders.

He thought the statement which he had made clearly showed what was the condition of the House of Commons at its original institution. Our ancestors never dreamt that representatives would be returned from poor boroughs which had scarcely any inhabitants; or that a place like Old Sarum would send members to parliament who would have the power of voting away the money of a town like Leeds. And what had been the result of this species of government which had prevailed in the times of our ancestors? He felt no hesitation in saying, that it was to this that we owed the establishment of those principles on which our liberties were founded. A right hon. gentleman, on a former occasion, had said, that he knew nothing of these early parliaments, but that they met for a fortnight, voted subsidies, and then departed to their respective homes; but he begged leave to remind that right hon. gentleman, that it was the constant practice of those parliaments, before they voted subsidies, to see that grievances were redressed, and that the rights of the people were not infringed upon. It was under such Houses of Commons that the great principles of public liberty were asserted and confirmed. It was in the reign of Edward 3rd that the power of the Commons to grant money was fully established—that fair trial in cases of treason was secured, and the sacredness of person and property declared. It was under such Houses of Commons, so elected, that the foundations of our liberty were laid, and the best principles of our constitution cherished. It had been said, by an author of some note, that our liberties had been purchased, not so much with the blood of our ancestors, as with their money. In this it was certainly impossible not to concur. The effects of this had been, through all stages of our history, manifested upon the character of the people, as had been testified by men of such distinguished sagacity as Fortescue and Bacon, in their comparisons between the English and the French. In their days, those writers spoke of England as abounding with a substantial yeomanry, free, high-spirited, and independent, and forming admirable soldiers when the defence of their country ever happened to call for their exertion in the field, while France was possessed of scarcely any.

Viewing the subject, then, in these lights, he came to this conclusion, that in asking for a reform in parliament, they asked for no more than was their undoubted right—that which the people, from their intelligence, their wealth, and their moral character, were perfectly competent advantageously to use.

Having gone thus far with his argument upon the subject, he would now proceed to consider the objections which had been urged to the reform which he contemplated. The first objection which he should notice was one sometimes used by the right hon. gentleman opposite—an objection which was founded upon the great prosperity which the country enjoys under the present constitution of the House of Commons. That right hon. gentleman comes down to the House, makes a most flourishing statement as to the revenue of the country, and then triumphantly asks "did that calumniated House of Commons, which had placed the country in such a prosperous and elevated condition, need reform?" This, he thought, was any thing rather than the just mode of arguing such a question. He, for his part, always took the discussion on general principles. But, were he to follow the example of that right hon. gentleman, how easy would it be for him to look back to any season of public distress, and attribute the whole of the evils attendant upon it to the vicious and corrupt constitution of the House of Commons, and tell a suffering people, that all they endured was to be attributed to the defective state of their representation in parliament. It happened, oddly enough, that in the present year, when the House met for the purpose of giving relief to the existing distress, no sooner had parliament adjourned for the Easter recess, than the newspapers were filled with accounts of restored confidence, and the improved condition of the commercial interest. If the argument of the right hon. gentleman was legitimately applicable in the way in which he used it, it could, with equal facility and truth, be made use of for an opposite purpose; and, whenever difficulty and distress arose, they might be attributed to the want of a reform in parliament. His opinion decidedly was, that the prosperity of the country, or its occasional sufferings, were, in a commercial point of view, not materially affected by the state of the representation in that House. He thought that our greatness, as a trading and commercial nation, was much more to be ascribed to the security of property, and the laws connected with it. The solid prosperity of the country did not depend upon the constitution of the House: that he was not only free to admit, but would maintain. There were many of its acts, however, which certainly had the effect of checking the prosperity, much more than of advancing the interests of the country. He would refer to the act passed in 1822, to which much evil was now most justly attributed; but this he certainly was far from thinking arose from defective representation. It had been said, and perhaps justly, that in questions to be decided by the strict principles of political economy, a reform in parliament would yield no peculiar advantage; but that argument, carried further, would go the length of submitting such questions to a still smaller and more select body of men—a privy council rather than to the great assemblage of the representatives of the people.

Another objection against any interference with the present state of the representation of the people was, that it would amount to an infringement upon private property, and an interference with vested and chartered rights. He conceived that the elective franchise was not a property which was to be used for the sole advantage and enjoyment of the person possessing it. It was not only a privilege, but a trust—a sacred trust—to be exercised for the good of the country. What injustice could there be, he would ask, in depriving those of that trust, who were incapable of any thing but its abuse? He was still perfectly ready to acknowledge, that it was a privilege which could fairly be considered as a matter of advantage and enjoyment to the person in possession of it, and he would therefore not oppose the grant of reasonable compensation to those who might suffer in an arrangement found necessary for the public good. It could never be maintained that the rights of private property could not, in such a case, be interfered with, while so many bills affecting it were every day passing through that House for railroads, canals, and other public works. A striking instance was afforded by the case of the Liverpool and Manchester railroad. This was to go over grounds which the proprietors highly valued; but, as it was for the public good—as it was for the general benefit of the country—no objection of that nature could be entertained. The bill then passing through that House for making improvements in the metropolis evinced the same disregard to private possessions, when they interfered with general interests. This bill secured compensation whenever the property of any person was appropriated for public purposes. If the owner refused to accept the compensation offered by the commissioners he could go before a jury, who were entitled to assess the damages. If he still refused to surrender his property, the bill gave a right of entry. Houses might be knocked down, and rased to their foundations. Here were clearly the rights of private property infringed upon for public convenience and benefit. Why, then, should they treat with any greater tenderness the privilege of sending members to parliament? What claim had the electors at certain boroughs to be treated with more tenderness than the poor shopkeeper in the Strand, who might, under the new bill, be compelled to relinquish his property?

In addition to these, it was urged as an objection to reform, that by its adoption the country would lose the advantages of a government operating by mutual control. Then was brought before their eyes all the evils of a democratic form of government, and all the horrors of the French revolution. The whole of this was perfectly inapplicable, and really formed an instance of that species of declamation, of which the right hon. gentleman accused the reformers. He would suppose that there had been some measure under consideration trenching upon the privileges of the House of Lords, and he would suppose that he had declaimed against the dreadful effects of aristocracy. It surely might well be replied to him, that in this county no dangers were to be apprehended from aristocracy, seeing that the House of Lords could never act separately. The same principle applied to the House of Commons: they could never act alone; therefore the increase of the popular principle in that body could never lead to the evils of democracy. He asked for nothing more than was a matter of strict right; nothing more than a fair representation.

But the right hon. gentleman opposite, and those who agree with him, allege that, however defective the representation may be in theory, it works well in practice. If it were possible to suppose that such were the fact, he confessed that he for one would be most lukewarm in the cause of reform. But, so far from working well, he lamented to be obliged to declare his conviction that it would so work as one day or other to endanger the constitution. Into the proof of this he had gone when he addressed the House on this subject on a former occasion, and he therefore deemed it the less necessary to trouble them with the details of it at present. As he had before stated, on such discussions as the currency question and others, involving the application of political science, there might, perhaps, be no great advantage felt from more popular modes of election than those prevailing at present; yet, in questions where the Crown and the people had conflicting interests, the ill effects of the present system would be deeply felt; and this he conceived to be the real test by which the expediency of the measure should be tried. On a former occasion he had gone into details, and pointed out of what description of members the majorities in favour of the measures of the ministers of the day had been usually made up, and he had clearly shown that when a proposal had been made for restraining any profligate expenditure, or curtailing absolute power, it had generally met with the support of a large majority of the real representatives of the people. He had only examined into the votes which had been given within his own time; but he was not founding his argument merely on what had taken place within his own experience, for it had been asserted by Mr. Fox, when he was so often defeated by the majorities of lord North during the American war, that notwithstanding such repeated defeats, five-sixths of the real representatives of the people voted with him on each occasion. It was the conviction that there did exist this real discrepancy between the votes of the House and the wishes of the people, which made him feel it his duty even at this late period of the session to bring the measure forward.

In going into this question on a former occasion, he had detailed numerous instances in which this House had acted contrary to the wishes of the people, and that in consequence of their having done so, great discontent and disaffection had been created in the minds of the people, for the restraining and keeping down of which the enactment of severe laws had become necessary; and if the House had gone on acting in this manner, in order to have suppressed the popular murmurs and indignation which would necessarily have been stirred up by such measures, it would at last have been requisite to have controlled and coerced the people. Of late a new plan of policy had been adopted by his majesty's ministers, much more coinciding with the wishes of the people; though, at the same time that he gave ministers credit for carrying these measures into execution, he must say that the credit of suggesting many of them was due to honourable gentlemen who sat near him. As a confirmation of this, he would refer the House to a speech of his hon. and learned friend, the member for Winchelsea, made in March, 1817; who, after a speech of great ability on the then existing commercial distress, moved four resolutions. The first was, "That the trade and manufactures of the country are reduced to a state of such unexampled difficulty as demands the most serious attention of the House." The second, "That those difficulties are materially increased by the policy pursued with respect to our foreign commerce, and that a revision of this system ought forthwith to be undertaken by the House." The third, "That the continuance of these difficulties is in a great degree owing to the severe pressure of taxation under which the country labours, and which ought, by every practicable means, to be lightened." The fourth, "That the system of foreign policy pursued by his majesty's ministers has not been such as to obtain for the people of this country, those commercial advantages, which the influence of great Britain in foreign courts fairly entitled them to expect." These resolutions, at that time, were little attended to, and were negatived by a large majority; though, strange to say, since that period, a great portion of the time of the House had been taken up in acknowledging the truth of those very resolutions, and devising the best means of carrying the suggestions contained in them into execution. Though ministers had done much of late years to entitle themselves to the praise of the country, it appeared to him that they would have done still more had they dared to act fully and freely upon their own views of public policy. He owned that it did appear to him, that though the majority of their measures were extremely useful, their usefulness was not such as would reconcile them to the taste of those high and mighty personages who nominated the majority of members in that House. It was a saying of Fontenelle, that if he had his hand full of reasons he would only let one of them out of it at a time. The course adopted by ministers appeared to be founded upon a similar principle; for, after opening their hands so as to let out first one and then another beneficial measure to the country, they had suddenly closed them, and stopped short in their career, as if they had some difficulty in going further. He suspected that if the new parliament should be chosen in the same manner as the present, those members who were returned to it, not by the people, but by those who regularly opposed themselves on all occasions to the people, would protest in very strong terms against the liberal system of policy which ministers had latterly pursued. He should like to know what the right hon. gentlemen opposite would do under such circumstances? Would they continue in their present course of liberal and enlightened policy, at the danger of being driven out of office by the influence of the great borough proprietors, or would they stop short in it, and retrace the steps which they had already taken? It appeared to him that the right hon. gentlemen were placed in a situation of great difficulty; and that the best mode of extricating themselves from it, would be by creating a certainty, that they would meet none but the real representatives of the people in the next parliament. If they met none but the real representatives of the people in that parliament, and if they pursued the same liberal and enlightened policy which they had recently done, adopting firmly, but cautiously such improvements as they thought our institutions required, from such a parliament they might reckon upon meeting a certain and overpowering support. But he was not certain that they would meet such support from parliament, if they now refused it the means of making itself the real representative of the people, and continued to repeat their hackneyed arguments in behalf of those who disliked every measure which they had recently carried, and who, though not open enemies, still were enemies to what had been done, and more particularly enemies to what was to follow.

He had now stated the reasons why he wished for a reform in parliament. He would next proceed to state briefly the mode in which he should propose to have it effected, in the event of his motion being carried. The plan which he should now propose would not be different from that which he had proposed upon two former occasions. It would be to take a certain number—for instance a hundred—of the small and decayed boroughs, and to allow them to return only one member instead of the two which they returned at present. The vacancy which would thus be created in the representation, he would fill up by adding to the number of representatives for counties, and also by giving the right of representation to the large towns which had grown up in different parts of the country. Whether such a plan was the best that could be devised, he would not take upon him to say; but he thought that it would be of use in promoting discussion among the friends of reform. All he contended for at present was, that inquiry should be instituted. He was no friend to sweeping measures: he was an advocate to partial reform. As far as he was able to recollect, there had been only two plans of reform proposed in that House. Of these, one went to reconstruct the House of Commons upon new principles, and the other to reform it partially by infusing what lord Chatham had called new blood into the constitution. The latter plan he considered to be the wisest and the most salutary. It was that of which lord Chatham had been the author. It was that which had been adopted by Mr. Pitt, whilst Mr. Pitt was a reformer, in all the plans which he had presented to the House for its reformation. It was that which had been sanctioned by Mr. Fox, in the various speeches which he had made upon this important subject. During the French revolution, Mr. Fox appeared to have gone further than he himself was now prepared to go;

but before that revolution commenced, and even at its commencement, Mr. Fox declared himself to be nothing more than a partial reformer. In the speech which that great man had made in 1793, on Mr. Grey's motion for a reform, he made use of the illustration, which had since been so frequently quoted, of building a House. His illustration was, that the most skilful architect could not build, in the first instance, and at once, so commodious a habitation as one that had been built piecemeal, and gradually improved by successive alterations, suggested by its various inhabitants. It was on the principles which had been recognized by three such men as lord Chatham, Mr. Pitt, and Mr. Fox, that he would build the reform which he had to propose. It was in the words which Mr. Fox had used, in defending Mr. Grey's motion for a reform, that he should conclude the observations which he had to offer to the House. "This was what the present motion recommended to the House—not to pull down, but to work upon, our constitution; to examine it with care and reverence; to repair it where decayed; to amend it where defective; to prop it where it wanted support; to adapt it to the purposes of the present times, as our ancestors had done from generation to generation, always transmitting it, not only unimpaired but improved, to their posterity." The noble lord concluded by moving, "That the present state of the representation of the people in parliament requires the serious consideration of the House."

Lord *Althorp* seconded the motion, and in so doing declared, that he should almost abstain from observation, as he had no wish either to waste the time of the House unnecessarily, or to weaken the effect which must have been produced upon it by the argumentative speech of his noble friend. After that speech, which was full of historical research, and entirely devoid of empty declamation, he should not trouble them further than to say that, in his opinion, the present state of the representation was such, that the people had not that preponderance in it which was necessary to secure to them the certainty of being well governed. He did not mean to say that under the present system, they were not well governed at present—for able ministers could, if they pleased govern a country well, no matter whether it had or had not a representative government. The grand characteristic, however, of a representative government was, to have in its hands the means of good government at all events. In a House of Commons, where the minority consisted of the representatives of the people, and the majority of the nominees of the borough-holders, such a power could not rest. With a view of restoring to the people that power which they had, somehow or other, been deprived of, he should cordially support the present motion.

Mr. *J. E. Denison* rose and said:—

Sir;—I must request the fullest measure of indulgence that the House is willing to grant to those who are under the embarrassment of first addressing it: an embarrassment which, in my case, I feel greatly increased by the nature of the subject now before the House, which, from its vast importance, has been so often and so ably discussed, as to be the most exhausted of any that come under the consideration of parliament.

Though this adds materially to the difficulties under which I labour, it may afford me, perhaps, some apology for offering myself to the House in this early stage of the debate, as I at least come to the consideration of this question for the first time.

Not that I can hope to produce any thing entirely original on such a subject; scarcely can I hope to diversify the surface of this oft-trodden path. But neither does the noble lord appear to have placed the subject in any new point of view, or to have occupied any position from which he has not been already triumphantly driven. I hope that weapons, which have before been found availing, though wielded certainly by much more skilful hands than mine, may not now be proved to have entirely lost their point.

The noble lord has proposed to discuss this question on its general merits, and on the broadest principles: on its general merits alone I shall attempt to shape my reply. But, before I enter on the main question, I should wish to call the attention of the House to some arguments of a more occasional nature, that have fallen from the noble lord.

He calls on his majesty's ministers, and pointedly on the right hon. the Secretary of State for Foreign Affairs, because they have of their own accord proposed many changes in the policy and administration of government. Now, for consistency's sake, to follow him in the change he proposes, a less logical or less reasonable argument I can hardly conceive: it concerns the House who have confirmed, as much as the government who have proposed, the alterations alluded to.

Because his majesty's ministers, each in his respective department, have ventured to institute inquiries, to examine into abuses, and to apply corrections, therefore they must be ready to adopt every suggestion for every reform, from every quarter; and so enamoured have they shown themselves of change, that the larger the matter to which a reform is intended to be applied, the more delighted must they naturally be with the proposal. Surely, Sir, the fair view of this argument would be, that as the government have proposed many changes; as they have shown themselves sensitive to abuses; as they have rejected the senseless clamour against all innovation; as they have risked present popularity in carrying through some of their measures—(I say present popularity, for I never will believe that policy so deep laid in wisdom and in justice, so pursued in temperance and discretion, can fail eventually to secure to them a rich harvest of the approbation of all the enlightened part of mankind)—having done all this, if now they oppose alterations, they have a right to the confidence of this House; they have a right to be believed that they oppose them on principle.

Next, Sir, as to the time at which this measure is proposed. As the House has already agreed, by common consent, to defer the consideration of many important questions, on account of the approach of its own dissolution, I can conceive none where postponement could be better justified than in a question not only intimately blending itself with popular feeling, but relating to those very suffrages which so large a portion of the community are on the very tiptoe of expectation to exercise.

Then, Sir, if the time is not opportune for this consideration, is there any thing in the condition and circumstances of the House which makes alteration at this moment imperative? Is this House more corrupt than its predecessors have wont to be? Sir, I can speak with less authority on this head, because with less experience, than almost any hon. gentleman who hears me. But I have the word of the hon. baronet, the member for Westminster, the great champion of reform, that he never recollects to have sat in so pure and honourable an opposition, as that which now surrounds him. I believe the character that the hon. baronet has assumed for his side of the House may, with justice, be extended to this side also.

Is the House grown dead and insensible to the encroaching influence of the Crown? Are its advances unheeded and unopposed in the present stagnation of party within these walls? Sir, I would refer, as a contradiction to this, to a vote of this House the other evening, when a measure, which appeared to me certainly by no means worthy of the suspicion which it excited, was rejected on those very grounds by this House. Is the House insensible to the expression of public opinion, or blind to its own practical imperfections? Sir, the constitution of private committees became a subject of complaint to the country, and was little satisfactory to the members who composed them. The hon. member for Staffordshire proposed a revision of the system, and the House, at his suggestion, has consented to adopt a plan, in no slight degree onerous to individual members, for the satisfaction of the public, and the more certain administration of impartial justice. I think, Sir, then, I may safely assume, that arguments, which have before prevailed against reform, can have lost none of their weight from any increase of corruption and impurity in this House.

But, Sir, to approach the main body of the question. The noble lord has laboured no part of his speech more than that in which he disclaims all connexion with violent reformers, and assumes for himself and his friends the name and character of moderate reformers. The noble lord will excuse me, if, while I give him full credit for his intentions, I cannot with confidence rely on the practical distinction he attempts to set up. Sir, I believe that no reform would satisfy the party in this country that desires change, but a reform on principle. A reform on principle must, it seems to me, be an approach to a uniformity of representation. And such a uniformity can only be attained by one of two courses: either it must be founded on an extension of the popular or democratic principle, or on the grounds of property. Now, as experience is no unfaithful or uncertain guide, and there exists at present in the world living examples of both these systems of representation, with the permission of the House I would attempt very shortly to contrast them with our own.

In France the elective franchise is founded entirely on property, and in the establishment of this, and as necessary to its conservation, a high average rate of property is taken. Thus the expression of opinion of the lower and lowest classes, so valuably felt in this House, is excluded from all representation there.

The first step towards the adoption of such a system must be, to disfranchise a large portion of the community. But, hon. gentlemen are too well acquainted with the practical effects of the French Chamber; they know too well how feeble and imperfect an instrument in government it has proved itself, to wish to remodel after its construction.

The second plan, by which uniformity may be attained, is an extension of the popular principle, a nearer approach to the forms of a representative democracy. Sir, for the operations of this system we have the example and experience of a country bearing a strong affinity to our own, the United States of America.

In whatever I may say of that country, I wish to speak of it with the greatest respect, as I sincerely entertain the greatest respect for its free and enlightened institutions. Nor is it to be understood, that any thing which might be bad in its operation here, is therefore necessarily and of consequence bad there. Quite the contrary. The greatest allowances must be made in attempting to establish any thing like a just and practical comparison between countries so essentially different. Here we have a limited monarchy. There exists a republic on a democratic basis. Whatever we have of liberty here, has been slowly and gradually won from a more arbitrary rule. Whatever they have of control there, has been built up as a check to level democracy; but, in an observation of the results, sufficient analogy may exist for our purpose.

Sir, in America are to be found annual parliaments, under some slight modifications, universal suffrage, and election by ballot. The consequence of placing representation on numbers alone, is not only to deprive property of its due and legitimate influence, but to make the observance of it less scrupulously delicate, than where itself forms a principle in the representation.

And next—and on this I would lay the greatest stress—where the representation is uniform, where it depends immediately on the popular voice, without any extraneous control, in times of public disturbance or high political excitement, elections turn on one single consideration—one all-devouring, uncompromising pledge is administered as a touchstone to the merits of every candidate. Talents, character, reputation, cannot for a moment uphold their possessor. Not only individuals bend before the storm, but whole parties are swept off the stage. Not one set of principles prevails, but no expression of opposite sentiment is allowed. It is not the temporary subjection, but the present annihilation of the opposing party; and the opposing party under these circumstances is not unfrequently the most right-minded and respectable class of the community.

How would such consequences operate here, where the very essence of our constitution is its principle of balances and counterpoises; where, from the combination and opposition of conflicting elements, the harmony of the whole is extracted?

But I may be asked, does not this system in its operation work well? And when I answer, that, undoubtedly, in my opinion it has worked well in America, I must add an explanation, not so much in the nature of a qualification, as of a reason, why no deduction can therefore be made from that country to this. The central congress at Washington alone presides over the nice and delicate conduct of external government, and over many of the most complicated and important functions of internal administration. In its constitution some props to its stability have been provided, as the extension of the political existence of its members from one year to two.

But the real and available check is to be found in the territorial distinctions, in the great geographical demarkations, which divide the politics, as they divide the surface, of the country. The deputies assemble at Washington, rather as the agents for local interests than as councillors for general policy. The interests of the north, south, and west; of the commercial and agricultural; of the slave-holding, and non-slave-holding states, are, by their nature, in some points so opposite, and in their administration so frequently conflict, that deliberation becomes a matter of necessity, and not of choice. Every change partakes of the nature of a compromise, and compromise necessarily begets moderation.

With us these distinctions are not, fortunately, to be found; and, in their absence, we have provided ourselves with other machinery, which, through a different process, produces the same results.

Indeed, the picture of a single state would form a juster object of comparison with this country, than the whole body of the United States could do; and, whatever by speculative minds may be advanced, as to the efficiency of a government, constituted as the State governments are, to conduct the intricate and difficult operation of external affairs, upon this, as a matter of opinion, I shall not enter; but, as matter of fact, I may safely say, that the experiment has not yet been tried.

I fear, Sir, I have fatigued the House in the pursuit of this inquiry—but it seemed to me that, on one of these principles, uniformity in representation must be attempted. For neither of these (though each be fair and specious in promise) will any man, I believe, be prepared to change this incongruous if you please, this impure, if you please, but this most efficient system, under which we are this day assembled here.

Sir, we have here, by a fortunate combination, the French principle of property acting with its natural unrestricted influence, corrected by a strong infusion of the American principle of democracy; that, in turn, controlled by the useful weight of the aristocracy, and by the deference paid to ancient families, and hereditary distinctions.

We have all parties, all classes, all opinions represented here. The House conforms itself to every change, slowly and reservedly it is true, but not on that account the less surely or the less safely. It is certain, ultimately, and, in good time, to receive the impression of every prevailing impulse.

To this admirable and well-adjusted balance we owe, I believe, much of our safety and our honour—much of all that we value as a nation—much of all for which we are admired by the world. To this must be attributed the even tenor that British politics have so long sustained in the history of Europe—to this ever-varying, but ever consistent, principle, through all trials and struggles, this House owes its character and its fame. Hence it is, that no House of Commons violently departs from the track of its predecessors: though the term of each parliament be short, the spirit that animates them is immortal; though the existence of each be uncertain,

> " ——Neque enim plus septima ducitur ætas;
> At genus immortale manet, multosque per annos
> Stat Fortuna domûs, et avi numerantur avorum."

It is this perpetuity of principle, this consistency of conduct, this moderation in the exercise of its power, that I wish to preserve inviolate to this House.

I am not blind to the inconsistencies, I am not insensible to the incongruities of the existing order of things; but in the complicated machinery of government, where the operation of the whole is good, I fear, lest in attempting to remove an apparent impediment I may really destroy a valuable and necessary power. I mark the inconsistencies with the noble lord; but I am not prepared to say with him, that they must be inconsistencies for evil, and cannot be for good. I agree with the noble lord, that the fabric of the English constitution was not built in a day; neither was it ever constructed on the chaste and simple rule of Grecian uniformity. It partakes rather of the irregularities of its native and more proper Gothic. But I dare not therefore meddle with its structure. I stand with awe and admiration at its threshold. I dare not approach it with the hand of specious reform.

Mr. *Ross* begged to assure the House, that it was not his intention to detain them at any length, but he was anxious to take that opportunity of stating how strongly he objected to any general system of Parliamentary Reform—a question which had been as often rejected as it had been brought forward, and which, he felt convinced, notwithstanding the exertions of a most zealous party, had gained no ground within the walls of parliament, and little, if any, in the country at large.

The noble lord, both on that and on other occasions, had, with much ability, and in the clearest manner, stated his wishes on the subject, and suggested a plan which might at first appear likely to obtain the support of all reformers. But so various were their views, and so different were their principles, some desiring a very moderate change, while others would be satisfied with nothing short of revolution, that he was confident that, were the principle to be granted, and the details of the measure left to be discussed by those only who advocate some alteration, not one session, nor twenty sessions, would suffice to decide upon a system that could obtain their general approbation. The opponents of reform had a much straiter course to pursue, and sought a conclusion much more easy to attain, by opposing the very principle on which the noble lord would act. However ready he (Mr. Ross) would be to join in correcting any particular error which might be pointed out, he could not consent to that sweeping plan of alteration which to him seemed calculated, not to renovate, but to overthrow the constitution; neither could he consent to that indiscriminate abuse or ridicule cast upon the institutions of their forefathers, merely because they originated in ancient times. For he would not allow that attachment which he felt for their principles to arise from a blind admiration of the past, but to be founded on a wish to preserve untouched what had for so long been reckoned part of the constitution, and which he never would agree to destroy, till some irresistible reason were adduced to prove that, from that change, greater benefits would arise than the maintenance of the present system had hitherto produced.

He felt assured that the House would agree with him in thinking that, before the noble lord could expect his plans to be adopted, he was bound to show that some material grievance existed, and that the alteration proposed would remedy that grievance. The complaints of the reformers were generally three; namely, that the influence of the Crown has gradually become too great; that the influence of the aristocracy was overwhelming; and that the body of the people was not duly represented. He owned he found it impossible to assent to any one of those three assertions. With regard to the first point, he was not aware at what epoch the noble lord and his adherents conceived that the power of the Crown was duly balanced by the power of the people, nor at what period they imagined parliaments to have been better constituted than in the present times, unless they wished to recur to those days in which the House of Commons first voted itself perpetual—next assumed the whole executive power—and lastly, after overthrowing monarchy, paved the way for the murder of its sovereign. Into particulars, indeed, reformers seldom condescended to enter, but in general terms they had often asserted, that the influence of the Crown had become too great for the liberties of the people. How far that influence should extend, he conceived to be a fair and legitimate subject of debate. But that was not the question then to be discussed. Reform was imperiously demanded, because that influence was said to have increased—an assertion which the anti-reformists declared to be unsupported by fact, and on which point, therefore, the two parties were at issue.

To historic records, then, it seemed to him, that recourse must be had to support either position, and he felt confident that those records would prove, not the increase, but the great diminution of that influence. Did they refer to the days of queen Elizabeth? Of her own authority she sent several members of the House of Commons to the Tower, merely for intimating a doubt as to the extent of her prerogative, or for launching a sarcasm against the abuse of a very questionable power. Did they consult the annals of the Stuarts? They would find them claiming and exercising the privilege of dispensing with the laws of the land by their mere proclamation. Did they study the reigns of the two first Georges? they would see them substituting corruption for intimidation—direct bribery for positive force. That corruption and that bribery, indeed, might be proved, not only by valuable contemporaneous evidence, but much light was thrown upon the system then pursued, by a paper laid, in the previous session, upon the table of the House, by which it would appear that, in 1714, the first parliament of George 1st., about two hundred and fifty members of the House held among them about four hundred places; and in 1727, the first parliament of George 2nd., about two hundred members held among them near three hundred and fifty places. And he begged leave to remark, that, in those days, the whole House consisted but of five hundred and fifty-eight members. Such, or nearly such, was the state of affairs till 1780, the year in which Mr. Dunning moved his celebrated resolutions. From that hour the work of retrenchment had been unsparingly prosecuted. Mr. Burke began by prevailing upon the then ministry, to adopt many of the provisions of his well-known bill for economical reform. Since that time, all revenue officers and contractors had been excluded from the House—since that time the king's household had been materially diminished; the power of granting places in reversion taken away; the holders of colonial offices compelled to execute their duties in person; besides an infinity of minor reforms, to which he felt it unnecessary to call the attention of the House. The more so, indeed, when he recollected, that by a majority of more than two to one, they had negatived a motion made by the hon. and learned gentleman, the member for Winchelsea, very similar in form and substance to the resolution of Mr. Dunning; and in the very session, too, in which the offices of two lords of the admiralty, and that of one of the postmasters-general, were reduced, notwithstanding the most strenuous exertions of ministers.

This brought him down about to the year 1822, when a committee sat to inquire into what offices were held by members of the House: from whose report it would appear, that there were then but 89 placemen out of 658 members—one hundred more than in the reigns of George 1st or George 2nd. But even that number of 89, small as it was, in comparison with the 250 of 1714, or even the 200 of 1727, ought to be materially diminished; for, besides that, some offices then existing had since been abolished; he must take the liberty of saying, that never was there a report presented to the House more calculated to deceive both parliament and the country. The insinuation which it was intended to convey, and which reformers had repeatedly since used as the ground work for their declamations was, the ministry could, from the influence of place, command 89 votes in the House of Commons. But what would be said of the fairness or justice of that report, when it was remarked that one member was reckoned twice—that six held only military commissions (which were professedly excluded), that five held offices for life in the gift of the Chancellor for the time being, and that to three of these places no salary was attached; that among these 89 pensioners, on whose votes, if reformers were to be believed, the Crown could always implicitly depend, were to be found the hon. and gallant members for the county of Kilkenny and the city of Bath, the hon. member for Calne, and the hon. and learned gentleman the member for Peterborough, whose talents, indeed, it would be impossible not to admire, but whose votes were but seldom given either against reform or retrenchment, or in favour of administration. He (Mr. R.) hoped that it would appear that the advocates of reform were little able to prove that the influence of the Crown had increased in the House, since their arguments were principally founded on that report, the injustice of which would be so manifest to those who would but take the trouble to analyze it in detail.

The next point to which he begged to draw the attention of the House was, the influence supposed to arise from the patronage belonging to the collection of the revenue, the church, the army, and the navy. It was impossible to deny that the increase of the revenue had not augmented the number of offices in the gift of the Crown, but he thought that various circumstances diminished the influence which, at first view, might seem to arise from thence: the population of the country had increased in a still greater ratio, and, what was much more important, revenue officers were disqualified from voting at elections. With regard to the church, the army, or the navy, he declined entering into much detail, for the quantity of church patronage could not be said to have increased, since, for ages, it had been stationary; and, as to the army and navy, he felt that the vague assertions of parliamentary influence derived from them had been so often contradicted in the House, even by friends of reform, that he would not waste their time by attempting to refute, what, in his view, had never been proved. But, even were he disposed in some degree to assent to this supposed increase of influence on the part of the Crown, he would wish to ask whether some countervailing power had not, in the mean time, been acquired by the people. He could not imagine a firmer barrier to the direct assaults of despotism, or the insidious attacks of corruption, than the intelligence of the peasantry, or the knowledge so generally diffused among the manufacturing classes. Nor could he forget what, perhaps, was of still greater importance, the publicity so speedily given to all that passed within the walls of parliament.

The second cause of complaint was, the supposed increase of the influence of the aristocracy, and he owned he could not allow that that influence had augmented. He denied that more boroughs had become close of late years, or that the weight of powerful families in large towns had not been much diminished by the increase of the population. He confessed, however, that, in one point of view, he rejoiced to see the influence of the aristocracy: by that, meaning the influence of wealth, the influence of property, and the influence of talent. He conceived it perfectly consonant with the spirit of the constitution, that the wealth which honest industry and a laborious life had accumulated should be represented in the House, and that the owner of an extensive property, handed down to him from his ancestors, should be returned to parliament by the influence of those possessions. Still more advantageous did he consider it, that some means should exist by which an opportunity of distinction should be given to talent which wanted but that opportunity to make itself known and admired; and he would cherish the system by which these objects were attained, as productive of the most essential benefits, both privately to individuals, and publicly to the country at large.

He came lastly to the third supposed grievance—the non-representation of the people; and, on that part of the question, no point was more warmly pressed than the small number of voters in some boroughs. He was ready to admit, and the noble lord was welcome to all the benefit he could derive from it, that Gatton and Old Sarum had about two voters each, and Knaresborough and Tavistock not many more. He should much regret if the country were to be deprived of the services of the members returned by some of those rotten boroughs; and he could not avoid remarking, that the opposite benches would present a most meagre appearance, were the noble lord's plan of disfranchisement to be carried into effect. For, objectionable as that system seemed to reformers, it was indeed not a little curious, that to boroughs thus constituted, most of them were obliged to have recourse, and many, after repeated defeats in more populous places. He was well aware that it was generally stated, that, although some partizans of reform were to be found among the representatives of close boroughs, yet the majority of them were the supporters of government, and lists had been industriously prepared, from which it would appear, that the more numerous bodies of constituents generally chose members who voted with the opposition. In the principle, however, of these lists, there did seem to him to be so vital an error, that he would not enter in detail into the objections he thought could be brought against them. For the noble lord reckoned as among the opponents of ministers, all those members who, in the course of the parliament, had given three votes against them—a calculation which would give a most ill-founded view of the real sentiments of the House, as it would include in the ranks of the Opposition some of the most steady and valuable supporters of government. The real fact was, not whether upon some one or two questions, particular members did or did not support administration, but whether on the whole, the House and the people agreed. Sometimes, indeed, they did disagree, and it would be most extraordinary if that did not occasionally take place. They did disagree when, by the assistance of the members of those very rotten boroughs, in modern times so stigmatized, the principles of liberty were established at the Revolution. They again disagreed when the Septennial act, so necessary for the exclusion of the Stuarts, was passed, against the wishes of the people, and the votes of most of the country members. Were these measures hostile to freedom, or deserving the reprobation of any real lover of his country? No; to representatives of boroughs was due, first, the Bill of Rights, that palladium of liberty, and next, that decisive step by which it was preserved. The country members, too, of that day, most clearly proved, that the members for populous places were not always the staunchest friends of freedom, and that the dictates of a prejudiced mob, or the wishes of an ignorant people, ought not, at all times, implicitly to be obeyed.

There were also many other instances which might be adduced in favour of that assertion. He might mention 1784, and ask the noble lord whether the Whigs of those days thought the House of Commons or the country ought to have yielded in that struggle. He might allude to the debates on the Currency in 1811, or to others still more recent, on the Roman Catholic question. On that point, he believed, few members would deny that a large majority of the people of England was decidedly adverse to any further concessions, but he doubted whether, on that account, the noble lord would advocate the propriety of resisting the claims of the Catholics. In attempting to prove that, unless the House on all occasions agreed with the people, it was no longer worthy of their confidence, the noble lord must, of course, admit the justice of direct instructions from constituents. On this point he would beg leave to quote Mr. Burke: "Authoritative instructions," said he, in 1774, "mandates issued, which the member is bound blindly and implicitly to obey, to vote, and to argue for, though contrary to the clearest conviction of his judgment and conscience, these are things utterly unknown to the laws of the land, and which arise from a fundamental mistake of the whole order or tenor of our constitution. Parliament is not a congress of ambassadors, each desirous of sustaining his own interests at the expense of the others, but a deliberative assembly, united for one common purpose, and actuated by one common feeling, a desire to promote, to the best of their judgment, the welfare of their country." The more, indeed, the question of instructions from constituents was viewed, the more absurd, he thought, it would appear. He was sure that the noble lord would agree with him in saying, that it was impossible, on all occasions, to refer to them for advice. And yet, if members did not request their opinion as to every vote they gave, the principle must fall to the ground. Either then, at the risk of every danger which must follow, and the ridicule which must attend strict obedience, the member, after listening to a discussion, must abide by the instructions he had received from those who had not heard a single word of the debate, or else he should be left, as he ought to be, free and unshackled, to follow the dictates of his own conscience; nor should he then be blamed as an opponent of the rights of the people, if, in the discharge of his duty, his opinion should happen to differ from that of his constituents. But, setting aside the consideration of how far members ought, on all occasions, to refer to them, he wished to consider what would be the result, if, on the question of reform, the opinion of the country at large were to be taken. If electors only were to be consulted, he owned he did not believe they would agree to admit any large additional numbers to participate in their rights, acquired either by purchase or inheritance. If the advice of non-electors were to be taken, it was very possible that they might think it highly expedient to obtain, without expense or difficulty, a privilege, to which neither from birth, intellect, or property, could they lay the slightest claim. For, of whom did the vast majority of the non-electors consist? Of persons in the lowest classes of society, who might gain, but who could not lose by any inroad on the constitution, and whose utter want of education ought to exclude them from taking any share in the task of selecting legislators; while, on the other hand, the actual electors comprised nearly all those who possessed any landed property, and whose birth, intelligence, and means of information enabled them to judge of men and measures, and to select those as their representatives whose talents were best calculated to do honour to their choice, and confer lasting benefits on their country. And, in affirming that this latter class was generally opposed to parliamentary reform, he was stating not only his own firm conviction, but the recorded opinion of reformers themselves; "Non meus hic sermo" he said, it was the sentiment uttered in that House, of a near relative of the noble lord, who voluntarily confessed, that an immense majority of the gentry, the clergy, and the nobility, of England, were decidedly hostile to parliamentary reform. And yet it was by persons like those anti-reformists, that he was sure the noble lord would wish his conduct to be approved. The applause of a mob, or the plaudits of the ignorant and un-educated populace, would be but little satisfactory, unless accompanied by the approbation of that higher class, the gentry of England, whose talents and arguments gave real value to their praise, and shed a lustre round the country which claimed them as her own.

He apologized to the House for having detained them so long in stating some of the objections he felt to parliamentary reform, and the weakness, as it appeared to him, of the arguments by which that plan was supported. He confessed that he was afraid, that if the noble lord's proposition were to be carried in the affirmative, they should soon have to encounter most serious dangers—dangers which he was sure the majority of the advocates for reform did not for a moment anticipate. He had, he owned, been glad to view the British constitution as a fane hallowed by ages, yet unimpaired by time: with such feelings he must consider any material and uncalled-for alteration in that edifice as little short of sacrilege. He trembled, lest, the contagious example once set, they should not know where to arrest their progress, and with the vague idea of possible and future advantage, should occasion positive and immediate injury. He felt convinced, that were the noble lord to prevail in carrying his plan into effect, they would be the less able to withstand any further inroad upon the constitution. But, by taking their stand where they did, they, at all events, if successful in their resistance, would prevent reformers from afterwards pleading a precedent for their assaults. If unsuccessful, he could only hope that the event might prove their fears to have been vain, their predictions to have been false. Impressed with such sentiments, he could not consent to compromise what he considered the interests of the people, or to act in opposition to what he conceived their real wishes, but would most strenuously oppose a plan which he conscientiously believed to be fraught with fallacy, and replete with danger.

Lord *Glenorchy* said, that if the proposition of his noble friend and those who voted with him, had been, to change the present system for a democracy, the objections of the hon. member who spoke last might have applied; but not only no such intention had ever been expressed, but the very contrary was their object; and instead of attempting to destroy the constitution, they only sought to preserve it, and to remove all that was prejudicial to it. He approached this question with a considerable degree of distrust and apprehension; for he felt that it was one of large and general importance. Indeed, he would not have trespassed on the attention of the House but for what had lately passed as to the state of the representation in Scotland, from which he inferred, that the particular grievances of that country would not be redressed unless a general reform of parliament was adopted. He had expected that the case of Scotland would have been considered on its own merits, as there were difficulties and peculiarities connected with it of such a nature as to induce the hope that even those who were hostile to the general measure would see the necessity of remedying the particular evils of the Scotch representation. But he was astonished to hear a right hon. gentleman declare, when the petition from Edinburgh was under consideration, that no sufficient motive could be proved to him to exist, unless it were shown, that owing to the existing system the people suffered, or that there was criminality on the part of the electors. The case, however, appeared to him, to deserve the interference of the House; and, although the representation of that city was not defended, the petitioners were left to their fate. They were told, indeed, that Scotland benefitted by the diffusion of the popular spirit which prevailed in England, and the whole argument of those who opposed the inquiry on that occasion was, that the sound part here made up for the bad elsewhere. No hope being left of obtaining redress in any case of detail, he was glad to see the present question brought before the House on general principles. It appeared to him in the highest degree weak and absurd to refuse to provide a remedy against an evil which might be likely to exist, because it had not yet been felt. To argue that, because the present system worked well, and no bad results were experienced from it, we should therefore allow it to remain unaltered, was just as weak and absurd a course as to say that, though a man was surrounded by thieves and pickpockets, he need be under no apprehension, as their hands had not been found in his pockets. He deprecated any angry discussion on such a question as the present: it never tended to the elucidation of truth, and merely showed that the persons who had recourse to violent expressions were on the weaker side, and possessed no better means of defending the continuance of abuse and corruption. He need not remind the House of the great unrepresented towns of Leeds, Manchester, and Birmingham; nor of the miserably defective state of the representation of Scotland, where it might be said, that three thousand persons constituted the whole of the elective body. He thought that great difficulties and dangers would arise from the House not meeting this question fairly and fully; for which no time could be more suitable than the present.

Mr. *Hobhouse* rose and said :—*

Mr. Speaker; Since it appears to be the course of this evening's discussion, that the supporters, as well as the opposers of the noble lord's proposal, should follow each other, not singly, but in pairs,

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* From the original edition, printed for J. Ridgway, Piccadilly.

I shall venture to take this opportunity of addressing myself to the House immediately after my noble friend; and, before I say a word on what has fallen from the opponents of the motion, I shall beg leave to remark, that my noble friend has furnished a decisive proof of the moderation with which he looks at this great question:—he has very properly deprecated the forbearance of that man who should persist in keeping company with thieves and villains, merely because he did not as yet find their hands in his pockets. But, with submission to him, I must beg to say, that, as far as the thieves and villains to whom he alludes are concerned, that is, as far as the borough-holders are concerned, we have not even that pretext for forbearance; for we do find—we have found, the hands of those light-fingered gentry in our pockets—in other words, in the pockets of the people; and this fact it is, that makes us anxious for a change of system.

The hon. member for Newcastle (Mr. Denison) claimed the indulgence of the House, on the score of the infrequency of his interference in the debates of parliament. I must apply for the same favour upon exactly the contrary grounds; namely, the fact of my having often spoken before on the same subject; for I feel it a duty attached to all those who are returned by the popular portion of the constituency of England, to take every occasion of expressing their sentiments on this great question.

It is true, we can do little more than that which the old Scotch reformers called "testifying;" but, in default of more efficient efforts, we should be unpardonable, if we omitted that harmless mode of enforcing, or at least of expressing our opinions; and, impressed with this persuasion, I shall now attempt to reply to what has been urged by the hon. gentleman opposite.

As for what has fallen from the hon. member for Orford (Mr. Ross), he has certainly gone to his work with considerable boldness; he scorns a compromise,—with him I can have no community of sentiment—difference with him does not lie in the shades of opinion—he does not argue much, but he asserts roundly—with him, reform never was, nor now is, nor ever can be expedient, or even sufferable. He despises all the phenomena of the times, or he draws from the contemplation of them an inference quite different from the rest of the world. He feels it, no doubt, not a little magnanimous to run counter to the general march and progress of opinion; and, whilst all the other luminaries of the firmament are moving in one direction, the member for Orford ambitiously pursues the contrary career, and, like the Apollo of Ovid, proudly boasts—

Nitor in adversum, nec me, qui cætera, vincit
Impetus; et rapido contrarius evehor orbi:

for, Sir, I assert, that the course and current of events lead to exactly the opposite conclusion from that to which the hon. member has arrived. I may also add, without disrespect, that, by that course and current, wiser men than the hon. member have been borne away; and that I do not despair even of seeing him, at last, sagely yielding to the influence of the resistless stream.

The other opponent of the measure (Mr. Denison) is of another complexion. He is more temperate; he can bring himself to believe that a popular and purely democratic assembly may work well; nay, he has confessed that, in America, it does work well. That hon. member's speech has made me regret he should be found in the ranks of our opponents: his talents, his liberality, would make me augur better things of him: as it is, I can only say of him, "Utinam noster esset." Sir, I attribute no small portion of that gentleman's liberal disposition to the part of his political education which he has lately received in America. That fortunate journey will be of use to him during his life,—it will be of use to this House—it will be of use to the country—it cannot but have imparted to him that spirit which is imbibed by the contemplation of free institutions, and which an impartial and enlightened mind like his must have caught amongst the free citizens of that great republic. But the hon. member must forgive me if I tell him, that I think he has not carefully investigated the history either of America or England, if he attributes the free principles of government which prevail in the former country to any discovery made by the founders or the successors of the American revolution, or to any circumstances which render that vast country the peculiar and favourite abode of a pure democracy: no, Sir, the Americans are our brothers; we may speak of them without the asperity of rivalship; but, it is but justice to the memory of those who were their and our common forefathers, to say, that the democratic principles which pervade and animate the whole American union are of English origin; are derived from the principles which, however they may now flourish beyond the Atlantic, first started into life upon this our native soil. The great battle of American independence was fought to prove, that taxation without representation is a tyranny that Englishmen ought not to bear,—it was but the same battle, and the victory that was gained was but the same victory, that had rendered for ever memorable the glorious Revolution of 1688. The struggle was in no respect different from that earlier resistance to arbitrary power which slavish historians have branded with the name of rebellion; and the real instructors, the real political sages, whose lessons inspired the Americans of the first Congress with their resolution to die in defence of freedom and of a pure representative system, were the Cokes and the Seldens, the Pyms and the Hampdens, who gloriously contended for that liberty at home, which their contemporaries, the first exiles, thought they could find only in the deserts of the western world. It is, therefore, a mistake, to suppose that the institutions of the Americans are so entirely the offspring of the peculiar origin, and manners, and position of that powerful nation, as to render them inapplicable to the system of English government; on the contrary, whatever is free, whatever is popular, whatever is essentially representative in their government, is English; and if we desire to know what were the parliamentary principles of our forefathers, we have but to look at the practice of our American contemporaries.

I think that the hon. member for Newcastle has also made a mistake when he supposes the representative system in France to be formed on the basis of property, as in contradiction to the American basis of population. I own it appears to be so; but those who have visited France with the eyes of a reformer, know full well that, by a species of management which it is not necessary now to explain, the Crown has contrived to get the elections, for the most part, into the convenient channel; so much so that, except in Paris, and one or two places where the electors can act in concert, the ministerial candidate is almost sure of success. In fact, the Bourbons have been wise enough to take a leaf out of our book; the government by mere brute force has been found too dangerous—they now try the surer mode of corruption, and, under pretence of giving to their subjects a representative system, make them consent to infringements upon their rights, and to exactions upon their purses, which could not be obtained by the old method of undisguised despotism. The restored dynasty have made a surprising progress in this their holy work; and they have been enabled so to do, not because they have been aided by the aristocracy, but because they have no aristocracy to oppose them. There is not in France any body of men round which the people can rally themselves; and stem the torrent of power; and, as the landed estates in that country are cut, as it were, into shreds and patches, and are undergoing a perpetual subdivision, there are no individuals of sufficient importance to make head against the dispensers of the favours of the Crown. Where there is the least show of opposition, every engine is set to work; and where corruption fails, open injustice is not unfrequently brought into play, in the mode adopted of selecting the returning officers, and securing the election of the court candidate. Nay, even violence has been tried; and the removal of ferry boats, and the breaking down of bridges, have been the last resource, not of popular fury, but of ministerial manœuvre. So that, although France does not enjoy our well-working borough system, she has arrived at the result of that happy arrangement; and, so far from returning a representation from the property of the country, may, in fact, be rather said to send to her chamber the representatives of the property and the influence of the Crown.

Indeed, the opposition to the measures of ministers in France is extremely insignificant, when compared with that which sits on these benches. And here I must beg leave to correct a misapprehension of the hon. member for Newcastle. He objects to my hon. colleague (sir F. Burdett), he having praised the House of Commons for its improving purity, whilst at the same time he calls for a reform. But my hon. colleague did not praise the House of Commons; he praised the opposition; he said he had never sat down with so many honourable men, notoriously acting solely upon public principle, and swayed by no base motive nor selfish influence. This is very different from passing an eulogy on the House of Commons itself. Of that House, indeed, we may say, that (without embarrassing ourselves with the questions put by hon. members, as to whether it be more or less corrupt than at former periods) it is quite as corrupt as any ministers can wish; we may say with Mr. Burke, who has been quoted on the other side, and who may be quoted for any side of almost any question, that "for any purposes of popular control, it is not a House of Commons."

These were the words of that politician. What was true then is true now. I can hardly understand how any one should venture to deny the assertion; yet it is denied; and to my infinite surprise, the hon. member for Newcastle has this night adduced the discussion and decision of the question relative to the increased salary of the president of the Board of Trade, as a proof that the people exercise a salutary control over the deliberations of parliament.

This appears to me the most unfortunate instance that could be selected for such a purpose; nor do I imagine it would be easy to find a more complete illustration of the corruption of parliament, and of the necessity of reform:—for, in the first place, I contend, that, except to such an assembly, no minister would have dared to make such a proposition:—secondly, I must remind the hon. member, that the proposal, the ultimate abandonment of which he quotes as so creditable to parliament, was carried by a majority of parliament, of which majority, by the way, he was one. In the third place, it must be remarked, that the said majority, being eighty-seven in all, was composed of thirty-eight members in receipt of emolument from office, and of ten others nearly connected with such placemen; whilst only one English county member voted for the proposal. I ask, is it possible to give a more unfavourable picture of the present composition of parliament, than that which this very majority presents to us? I ask, is it possible to form to oneself the idea of a representation more corrupt and contemptible than this commended vote affords?

Even in another point of view, this very note shows the necessity of reform; for the smallness of the majority is a sufficient evidence of the natural consequence which would result from a frequent recurrence to the people for the choice of their representatives. Would not that majority have been much greater had not this been the last session of the parliament? It is notorious, that those members, who are in the habit of supporting government, and are partly chosen by the popular part of the constituency, just at the close of their career, are apt to tremble at their approaching dissolution. After four or five years of submission to ministers, they no sooner see the immediate approach of their latter end, than they give some sign of grace, and bethink them of the account which they shall have to render at the day of popular judgment. They resolve to signalise their last moments by some virtuous deed; and, like the repentant death-bed sinners, satirised by Dean Swift, are eager to "make a sacrifice to God of the devil's leavings." Hence we had only one English county member bold enough to vote for what the member for Taunton called the Board of Trade job; and that fact alone speaks volumes in favour of one part of our reformation—I mean shorter parliaments.

With respect, Sir, to the peculiar mode by which the reformers would wish to carry their wishes into effect, I beg to assure the hon. member for Newcastle, that, when he says we can choose only from two schemes—the American basis of population, or the French basis of property, as he calls it (very improperly, I think), he little knows the variety of plans proposed by us for the accomplishment of our great object:—as for the French plan, as now managed, we certainly would have nothing to do with it. There are, however, many, many ways by which we think we can modify and mingle the two principles of property and population, so as to arrive at the result we desire—namely, a fair control of the people over the measures of the Executive.

My noble friend, the mover, has his plan; I shall vote for that. My friend the member for the county of Durham, whose absence we so much deplore on this occasion, has his scheme; for this also I should vote: other reformers, and myself, amongst them, have their peculiar notions on the subject; but I fancy, that the great mass of us in the country would consent to almost any change, from the conviction that the present state of the representation is the worst and most pernicious that can be imagined. The first step we want is that which the noble mover has proposed; namely, an acknowledgment by this

House that some change is necessary, and will be made. This will, of itself, be a most important reform; and the inevitable consequence of this first step would, I confidently believe, be the attainment, at some time, of all we can desire. Let us but introduce the fine end of the wedge, and trust to us for getting in the larger end afterwards. I perfectly well understand the meaning of those cheers from the opposite benches, but I am unconscious of having made any admission unfavourable to the cause which I attempt to advocate. Sir, it would be dishonourable; it would deceive nobody, if I pretended to say that I should rest satisfied with the scheme of my noble friend: all I mean to say is, that if the House should once be persuaded to entertain the principles of reform, I will answer for attempting, at least, to drive the measure home,—I will answer for the great body of the reformers doing their utmost to make the project effectual. Indeed why should they not? Why should they be satisfied with obtaining any thing short of their object, when that object is in itself unobjectionable? But if there be any men here, or in the country, who presume to insinuate that our end and aim are not such as we pretend—if they would insinuate that anarchy, and revolution, and spoliation of property be the real object of our endeavours, in that case I repel the charge with the scorn and utter contempt that it deserves. What! have the reformers more to gain by a subversion of the order of things than their opponents? What! have not the reformers as much to lose, by lawless violence, as those who uphold the present system? Indeed they have, and, I believe I may say, more too:—amongst the reformers are to be found the wealthiest proprietors—the greatest names—the most important citizens of this powerful community. Their high characters, their large possessions, the thousand ties that bind them to society, are pledges for the purity of their motives, and the sincerity of their professions, when they declare that they entertain no projects inconsistent with the good of their country, and the virtue and happiness of their fellow-subjects. The reformers can have no other wish than that which they profess; namely, to recover for the people that control which is, by right, theirs; and to give them, by restoring the House of Commons to its original purity, the only real security for their persons and for their property. They ask for nothing new. The hon. member for Newcastle has quoted some agreeable Latin verses, by which he would hint to us that the present system can boast the charm of antiquity; but it would be a waste of words to recapitulate the evidence so often given here and elsewhere to show that the parliament, as now constituted, is a wretched, and, comparatively, a recent innovation, which has been ingrafted, and has grown on the ancient institutions of England, together with those two other much-petted and unnatural children, the standing debt and the standing army. Efforts to garble elections, and bribe or intimidate members, may, of course, be discovered in early times; but I repeat, that the House of Commons, as at present framed, and as at present working, whether for good or evil, is of comparatively a recent date; and that the people have by degrees, and those (considering the lapse of ages) not very slow degrees, been cheated out of their ancient privilege to return a parliament upon the old popular basis of representation—the communities of counties, and the communities of towns.*

And here I must be permitted to notice a most extraordinary position taken up by the hon. member for Orford. He contended, that a reform of parliament would throw the elections out of the hands of the real proprietors of England into those possessed of no respectable means of subsistence. Strange, indeed, to be said by any one—and stranger still to be said by a member for Orford, in the face of so many county and city representatives, who have constituents. Did the hon. member never happen to hear, that the complaint of the reformers points exactly to the fact which he has perverted, and enlisted into his singular argument? The great complaint of the reformers is, that the body of electors—that is, the body that votes for the majority of this House, are persons of no property—are persons whose abode is, or ought to be, the workhouse,—who have no will, no power, no voice of their own,—who, when they solemnly declare that they give their vote, that is, their wish, for the candidate whom they choose, are guilty of the basest and most pernicious perjury,—who are the mere organs of others, and depending upon their masters for the rags they wear, and the scanty food they eat, and the wretched cabin that shelters them; have no opportunity, and scarcely, perhaps, feel an inclination to perform the sacred duty imposed upon the real independent elector. The complaint of the reformers is, that, whilst such an unhappy, miserable part of the population hold the elective franchise, and use it not for themselves, but under the control, and for the benefit of others, the real respectable citizens—the contributors to the exigencies of the state—the most valuable members of the community, who have given pledges of fidelity to the government and to the country, are not partakers of the privilege which alone can give them the means of protecting their property; namely, a share in the choice of the representation. We claim, for the opulence, the industry, the importance of such towns as Birmingham and Manchester, the rights now thrown away upon, and shamefully bartered by, the pennyless, idle, insignificant vote-sellers of such boroughs as Orford.

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* A popular and easy, but, at the same time, a most convincing reference to historical facts on this subject may be found in Mr. Creevey's Letters to lord John Russell, published in the beginning of this year.

The truth, as it seems to me, is, that the arguments of our opponents furnish a decisive evidence of the character of the strange, anomalous system which they attempt to defend;—all the forms of parliament, suppose it to be free, and fair, and independent—all the facts pronounce it to be exactly the reverse in every respect. Our forms tell us that peers shall not interfere in elections—our facts inform us that peers return something very like a majority of the House. Our forms require that when a member accepts office, his constituents shall have the chance of deciding whether they like him as well in his character of a placeman, as when he was not a holder of office:—What do the facts prove to us?—That there is no real reference made to the constituency of the country; but that, by the easy machinery of rotten boroughs, or close corporations, the vacating the seat, and the subsequent re-election, are matters of form.

Let me select an instance:—The Foreign Secretary represented Liverpool before he was in office: when his majesty gave him the seals, he was obliged to vacate his seat. Did he appeal to his Liverpool friends for their opinion as to the step he had taken, and did he give them an opportunity of showing how the act of parliament was meant to operate? No such thing! he retired from the representation of Liverpool, and nestled in a borough—in a borough which not only has no objection to a placeman, but prefers one; and which not having been cruel to such suitors as Mr. Vansittart and Mr. Bragge Bathurst, could scarcely fail of being kind to the right hon. gentleman. I may be told, the right hon. gentleman might have been returned for Liverpool, if he had so pleased:—perhaps he might. Why did he not so please?—I will tell the House; and my explanation will give another proof how well the system works:—A cabinet minister, especially a leader in parliament, usually declines to represent a great city or a county, because it is understood that he would have to attend too closely to the interest of his constituents—that is to say, that he would be called upon to dispense the favours of the Crown amongst those who returned him to parliament, and this would be in the usual way of business. I request the House to remark what a picture this gives of the state of the representation;—the constituent thinks he does his representative a favour because he sends him to that place where he may turn his talents to account; the representative thinks that if he does get any thing by his parliamentary proficiency, he is bound in duty to shed a portion of the golden shower upon the worthy electors on whose shoulders he has ascended to promotion; and so by this mutual good-will and reciprocity of benefits both parties are pleased, both parties are rewarded;—the individual interests of the electors are well looked after—the interests of the individual representative are by no means neglected; only one party is forgotten and put out of view—the people.

Need I mention another glaring contrast between the forms and the facts connected with parliament. We have, Heaven knows how many, statutes against bribery; and all our election-law is founded on the pretence, that there ought to be, and is, no undue influence in the practice of elections. What is more notorious than the disgraceful, wicked traffic by which all these statutes and laws are evaded? They have been, indeed, long evaded; and it is not now for the first time, that good men have thought it far preferable that, if parliament is not to be reformed, there should be a repeal of all these election statutes. An illustrious member of this House, if virtue can make a man illustrious—I mean sir John Barnard, made a motion to this effect in 1754. He proposed that the bribery law should be done away with, as it only opened a door to perjury, I say the same as he did; and I add, that, besides the perjury which disgraces the individual elector, there is a widely-spread evil which afflicts the country, arising out of these violated laws; namely, the delusion which is thus spread over the whole system, and which would make an unreflecting, inexperienced man believe, that the true old principles of the constitution were carried into effect, and that the representation now returned to parliament was fairly, freely, and purely chosen. Let us, at least, get rid of this mockery; let us cease to pretend to be honest, if we cannot make up our minds to be really virtuous; let us not add to our other sins that basest and meanest of all vices, hypocrisy; and if we resolve that seats shall be continued to be bought and sold, like cattle stands at a fair, let us confess the fact, and have done with the mean, dishonest, unprofitable fiction, that arrays us in the borrowed robes of purity and independence. It is my own opinion that the truth should be known, and fully known on this subject; and I exceedingly object to any proceedings, however serviceable in other respects, which tend to give to this House a character it does not deserve.

And this brings me to a topic that is called to my mind by what fell the other night from an hon. friend of mine, the member for Montrose (Mr. Hume), who, by some strange accident is not now in his place. That gentleman, to my great surprise, said, that if the opposition would but do their duty, some great results might be expected. Now, I class this sort of assertion amongst the delusions which ought to be dispelled, in order to enable the country to understand the real state of the parliament. I would ask my hon. friend, What he means by "the Opposition doing their duty?"—I suppose he means coming down in force, night after night, and voting upon every disputed question. I beg to ask what would be the consequence of the Opposition adopting this course of conduct? Cannot any one, who knows the working of the system, answer the question? certainly—if the Opposition came down in numbers every night, the ministers would come down in numbers every night, if our notes were daily issued and attended to, so would theirs, if our benches were full, theirs would overflow—if we were always here, they would never be absent; and, what would be the result—as long as the contest lasted, the majorities and the minorities would be increased, but the proportion would be the same, the decision would be the same; and, as long as seven shall be more than three, or ten more than five, the ministerial ayes would inevitably vanquish the Opposition noes. Then, too, let me ask, Who is tired first, the patriot or the placeman? Which spirit is likely to burn out first—that which is supplied by principle, and, if you will, a love of contention, or that with which the Secretary of the Treasury knows full well how to inspire the well-organized, obedient adherents of administration? The experiment has been fully tried before—it was tried by Mr. Fox and the extraordinary men who were his constant associates; night after night, session after session, they came, and fought, and were beaten. It has been tried most completely by those who are around me, in behalf of the hon. member for Montrose himself; he cannot have forgotten the session of 1821 and 1822—I am sure I have not, nor can any of us; it almost destroyed us; we divided on every item of every estimate; we were glued to these seats. The evening sun went down upon us in this hostile array; and when he arose in the morning, he shone upon our undiminished ranks. If ever Opposition despised hunger and thirst, and watchfulness for conscience sake, it was the Opposition that was led by my hon. friend during those never-ending sessions. But were not the ministerialists equally on the alert? We had, indeed, the satisfaction of fatiguing them, as much as ourselves; but that was all; and if we had our seventy, they had their hundred and seventy; and that very period was signalized by perhaps as pernicious and absurd decisions as ever disgraced a parliamentary session—some little improvement in our financial statement—some few farthing reductions, long since repented of and repaired, we did indeed procure; but any thing like a real national or constitutional object, we did not, because we could not obtain. The machine worked as usual; the majority was greater than the minority; and if any serious effect was produced, I rather should be inclined to say, the effect was not beneficial; for foolish, unreflecting debate-readers, seeing a great deal said, thought a great deal done, by the Opposition; and this House began to acquire a character which it did not, and never can, as now constituted, fairly deserve; so that I must really entreat my hon. friend never more to use the phrase of "the Opposition doing their duty;" it tends to augment the great delusion, and nothing else. Better far to tell the truth at once—no attendance, no efforts of ours, in this place, can make us a match for ministers. I am not talking of the men, but their offices; let them become the Opposition, and we shall know how to deal with them easily enough.

Sir, it is this deep-felt conviction of the omnipotence of ministers for the time being, and of the managers of this House, that makes me so exceedingly grateful for whatever good they condescend to do in their various departments. Hence the incense which I humbly venture, with over-flowing gratitude, occasionally to pour at their feet. It is not from wantonness, it is not from attaching undue importance to my praise, but from a sincere sense of obligation, that I commend their proceeding, knowing what mischief they might do if they would. I tremble and laud them whenever, instead of speaking to us in storms and whirlwinds, they shed their light, and heat, and kindly influence upon us. I look at the power of ministers in this House, in exactly the same point of view as it was regarded by Mr. Horne Tooke. When a law was made purposely to exclude that illustrious man from a seat in this House, a person who knew less of the world than Mr. Tooke did, would perhaps have been loud in his complaints and remonstrances, but he expressed himself much indebted to the minister of the day for being contented with so slight an infliction; "For," said he, "if he had pleased so to do, I am sure he might have ordered me to be hung up in the lobby." This persuasion it is that makes me also satisfied with the smallest donations; not forgetting, however, one important fact, that it is for the advantage of ministers occasionally to make some trifling sacrifice of their personal interests, in order to give respectability and a character of independence to the parliamentary system, by which alone they live, and move, and have their being; occasional concessions on their parts serve, as it were, to accelerate the wheels of the great machine with which they themselves revolve, and which unfortunately bears along with it the fate and fortunes of this mighty country.

Hence, it is not at all to be wondered at, that ministers take every opportunity of praising this House, and the manner in which it works. We must all recollect the eloquent eulogies by which the chancellor of the Exchequer claimed for the "calumniated" parliament a due share of the commendations deserved, for having contributed to, or rather brought about that enviable prosperity which had scarcely been hoped for, and which was surely to know no end. With what pleasure "we sat attentive to our own applause!" The reformers might well be afraid that they would never again be able to "calumniate," and that all their feeble remonstrances would be drowned in the general acclamations of joy and gratitude. But, such is the mutability of human affairs, their apprehensions were groundless; and, if the chancellor of the Exchequer's calumniated parliament was fairly permitted to take credit for the prosperity of the country two years ago, so it must be fairly chargeable with the reverses of the present day. It would be extremely unjust to ascribe to the workings of the parliamentary system all the successes of a prosperous period, and to acquit that system of all participation in the causes of distress. The reformers have a right to select for the confirmation of their opinions, those seasons of disaster, which prove, that if the system does work well at one time, it does work exceedingly ill at others. The reformers are not men to rejoice in the distresses of the country merely because they tend to corroborate their doctrines, but they feel they ought to employ those distresses as useful lessons for the instruction of their fellow-countrymen; they feel they ought to let slip no such opportunity of pointing out the real workings and the true effects of the bepraised parliamentary government.

If, however, instead of appealing to a general fact, and to the acknowledged condition of the country, we should be asked to select individual measures, I would undertake to mention a succession of follies and inconsistencies recommended by triumphant majorities at the time, but now so utterly decried and disavowed, that no one seems willing to confess he had any share in placing them in our Statute-book. If there is any one department of legislation more than another which might be thought to be the peculiar province of this House, it is, doubtless, the financial; we are, constitutionally, the guardians of the public purse, and the habits of many of us ought to befit us for that duty. Now, I would ask, What have been our deeds? What our workings, in that department? Let me mention an instance or two of the wisdom of parliament in this respect:—first: is there any paradox so ridiculous, any false reasoning now so entirely rejected of all persons, as what was consecrated year after year, by majority after majority, relative to the old sinking fund?—Mr. Pitt's compound interest, which would really swallow up the debt faster than was convenient for a commercial state;—Dr. Price's magical penny, which the revolution of not many ages would swell into a globe of gold larger than this earth; these monstrous absurdities formed the basis of financial law-making for more than the quarter of a century; and it was not until long after they had become the contempt of the nation, that their true character was discovered by this House:—it was not until the year 1819, that Mr. Vansittart, by asking for three millions of additional taxes, "to create," as he said, "a real sinking fund," proclaimed to the awakened parliament, that their old sinking fund had been a delusion, and the most pernicious delusion that ever distracted the finances of a state.

I come next to the famous "one-pound note and shilling" resolution. This resolution was a solemnly-proclaimed truth of the House of Commons of 1811. What is it now?—the standing jest of every speaker who is at a loss for an example of glorious absurdity; so much so, indeed, that the other night, the Secretary of State for Foreign Affairs, in a moment of kindness to the memory of a dear, departed, and translated chancellor of the Exchequer, declared that Mr. Vansittart, the propounder of that measure, was not the father of it, and that his reputation ought not to bear the load of that enormous folly.

But, to come to our own more immediate days, I beg hon. gentlemen to recollect the circumstances connected with the adoption of the Dead-Weight scheme, in 1822. When first propounded to this House, on April 29th and May 1st of that year, it actually met with no opposition; on the contrary, it was hailed with considerable joy, and, amongst others, by the hon. member for London (Mr. T. Wilson);—more wonderful still, it was the subject of much panegyric from the lips of the President of the Board of Trade (Mr. Huskisson). In the succeeding stages, some gentlemen (Mr. Brougham, Mr. A. Baring, Mr. Hume, and Mr. Ricardo) did point out the futility of the project, but the ministerial phalanx still kept firm to the folly. The first division showed only thirty-five in the minority, against one hundred and fifteen approvers of the scheme; the second minority amounted only to fifty-four members;—no more divisions took place; and we, at this moment, suffer under that which is an universally acknowledged disgrace to our Statute-book, and still give our sanction to a pernicious, perplexing juggle, of which the prime minister of the House of Commons (Mr. Canning) made, the other night, this ingenuous confession, that, "for his part, he did not understand it."

So much for the financial sapience of this House. If necessary, I could adduce many other instances of equal prudence in other departments, all tending to one melancholy fact, that the folly of the minister of the day is the wisdom of parliament. Let the man be ever so weak, and his project ever so unreasonable, he is still the dull divinity of the time, and his worshippers are no less numerous and devout than those of idols composed of more precious materials.

"Of whatsoe'er descent their Godhead be,
Stock—stone—or other homely pedigree;
In his defence, his servants are as bold
As if he had been born of beaten gold."

Indeed, I have sometimes thought, that the less respectable the object of worship, the more zealous the enthusiasm of the worshippers. Perhaps there is fancied to be a sort of magnanimity and generosity in the attachment to an imbecile master; but let that be as it will, the vote is as certain for the dullest, as for the most enlightened minister; and I have, myself, seen the largest majorities give sanction to proposals, recommended by speeches, received with the universal titter of the inmost rows of the Treasury benches themselves. And how can it be otherwise? During the session of 1822, a return was made of eighty-nine members who sit in this House, receiving salaries, profits, and emoluments, to the amount of 183,872*l*.

and a return was also made of fifty-nine members holding commissions in the army and navy, of whom the pay was not stated. It is the fashion to say, that the impartiality of his royal highness, the present commander-in-chief, makes it indifferent to an officer which way he votes; I do not believe it; we have officers on our side the House, it is true, but where is the great majority of those holding commissions in the army and navy? Certainly ranged with ministers, and certainly amongst their most faithful adherents. Nay, I will add, that even those with whom I have the honour to be associated, do not feel themselves perfectly free agents when questions touching their profession come before the House; they cannot help recognizing the influence to which they are to look up for promotion; and they are, besides, bound together by that "esprit de corps," which prevents them from merging the officer in the member of parliament: exceptions to this rule there may be, but the usual fact is what I have stated.

If, however, there should be any doubt as to the dependence of military and naval senators, there can be none as to the eighty-nine placemen and pensioners mentioned in the return The right hon. the Foreign Secretary complained the other night of the great scarcity of that description of gentlemen in this House. Allow me to ask him, how many would he have? — Are not the eighty-nine enough? Add to these, that every actual heavy-armed placeman has one or two light-armed relations, on debates of emergency, usefully skirmishing by his side. That the eighty-nine are enough, we have the best possible proof. An analysis was made of the majorities and minorities on fourteen great questions discussed in the years 1821 and 1822; and from that analysis (which I hold in my hand) it appears, that the said eighty-nine, the salaried officers of the Crown, were the real combatants who gained the day in all those fourteen questions against the popular part of the representation. If this service was performed by the placemen now in parliament, an addition to their number would be a superfluous encumbrance.

There is another most instructive deduction to be drawn from a similar analysis of the voters on thirty-six questions, in the same two years; the result is given in the following table.*

From	Members who vote.	For Ministers.	Against.	Both.	Not at all.	Total.
40	English Counties	25	37	10	8	80
12	Counties, and 12 towns, in Wales	13	9	1	1	24
89	Cities and Boroughs where election is open	57	107	5	11	180
114	Cities and Boroughs where election is close	151	41	5	28	225
2	Universities	4	0	0	0	4
33	Counties, and 66 Royal Burghs, in Scotland	25	11	0	9	45
32	Counties of Ireland	24	14	2	24	64
33	Cities and Boroughs of Ireland	21	7	0	8	36
		320	226	23	89	658

The simple inference from which statement is, that, as far as the people (properly so called) return members to this House, they do attempt a control on the measures of government, but that the government is enabled to counteract all their efforts by the members who sit for those places where the election is in the hands either of one individual or a small portion of the community; and the conclusion from both of these examinations is, that rotten boroughs out of the House, returning placemen to the House, are the real basis of parliamentary power. I wonder that any one should have the hardihood to deny the fact: it would be far more manly, far more sensible, to admit the fact, and to defend it.

The defence, indeed, of the government by corruption, requires more courage than ingenuity; for I know not how any man, far less an Englishman, can reconcile himself to those practices by which alone, under the present system, a minister can hope to rule the parliament, and, through the parliament, the country. A virtuous mind scarcely dares to contemplate the baseness of those arts, a thorough knowledge and a skilful management of which, constitute the chief business of a parliamentary leader;—of those arts, which, to use the words of William Pitt, in his uncorrupted youth, make it almost impossible that any minister should be an honest man;—of those arts with which the more illustrious father of that statesman scorned to be familiar, and a contempt of which provoked him to declare, that he would look at the Treasury only at a distance. A poet, who has been accused of indulging in a view of human nature much too melancholy, if not misanthropical, has told us,

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* This Table is extracted from a pamphlet by Mr. Marshall, called "Alphabetical List of the Members of the House of Commons," &c.

> "God hides from all of beings but himself
> That hideous sight—a naked human heart."

But I am afraid, that the man whose fate it is to manage the majorities of parliament is condemned to behold in disgusting, undisguised nakedness, the most secret infirmities of his species, and to become acquainted and to deal with those vices which are cautiously concealed from common view. What minister was it, who said that it was fortunate so few men could rise to the higher offices of state, because it was fortunate so few men could be aware of the real baseness and corruption of mankind? I believe it was Walpole; and well I recollect, in my younger days, hearing that sentiment repeated and commented upon by a gentleman who was, at that time, prime minister of England. It is not necessary to give an opinion of that gentleman's political career, but it is due to him to mention that which I heard at the time, and which subsequent inquiry makes me believe to be true—that one of the principal causes of his fall from power was a refusal to garble the elections, and to secure a parliament exclusively his own, independent of the influence of his powerful predecessor. It may also be recollected, that the same minister made himself sacred to ridicule by protesting, a little too ostentatiously, perhaps, against an attack made on his purity, and by punishing a heedless suitor who endeavoured to contaminate him with a bribe.

In fact, in this parliamentary government there is no other mode of maintaining or directing power than that which was practised by the Walpoles and the Pelhams of other times; and what was done then grossly and openly, must be done now delicately and covertly. The vote is as venal, although the traffic is not quite so barefaced and undisguised. I call upon the past and the present secretaries of the Treasury to speak fairly: they need not be ashamed; the sin is not theirs, it belongs to the system. I call upon them to confess, whether the compact phalanx which forms, or round which are formed, the majorities of parliament, is not kept together by favours either paid or promised—either enjoyed or expected. I ask them, can any man presume to require the slightest participation in the good things which government has to bestow, without giving a receipt in full at the table of this House, either in his own person, or in that of some near relation? The fact is too notorious to be denied; and I repeat, that those whose duty it is to manage these transactions, must have before them a most humiliating spectacle, when they become intimately acquainted with the petty wants, and the low desires, and the base compliances of those who ought to be the high-minded, independent gentry of a free and fairly-governed country.

It is all in vain for the Foreign Secretary to tell us, as he did the other night, that he would scorn to govern by placemen—that he would scorn to govern, except through the just confidence of the country, expressed by an independent parliament. That right hon. gentleman may, when he acts as he ought, obtain the just confidence of his country; but he knows full well the truth of what I have been saying—he knows that if he would wield at will what has been called the "fierce," but which I would call the tame, democracy of England, he must condescend to secure the usual support of parliament by the usual means—he must follow the example of his predecessors—he must do what was done before him, and what will be done after him, as long as the present system shall endure. In vain all his genius, in vain all his experience, in vain all his patient labour, in vain even that eloquence with which he delights his enraptured audience; they would be as but a feather in the balance, were the weight of ministerial patronage thrown into the opposite scale. What was his fate once, would be his fate again, were he stripped of the robes of power, and reduced to charm us only by the naked graces of truth and wisdom.

The right hon. gentleman has furnished,

indeed, several of the most striking instances by which we can form a judgment of the true quality of that influence which, and which alone, can be said to govern this assembly. Let me select one: on June the 3rd, 1822, the right hon. gentleman being, at that time, in the simple capacity of one of the most brilliant and persuasive orators that ever addressed an audience, moved for a clause in the Corn Importation bill, commonly called the Grinding Clause. The landed interest, by its loudest and most sonorous organ (sir T. Lethbridge), complained that they had been "ground" enough already; but the marquis of Londonderry, then manager of majorities, supported the clause, and the House divided—ayes for grinding the country gentlemen, 149—noes for not putting them between the millstones, only 41. On the 10th of June, the question came on again: nothing had intervened; but when the right hon. gentleman moved the bringing up of his clause, the marquis, the manager, declared against the proceeding, and without deigning to argue the question, recommended his right hon. friend to suspend his operations: but, in an evil hour, the right hon. gentleman forgot how those things are brought about here, he would accept of no compromise, he resolved to try his strength, he made a most ingenious speech! When, lo! the unhappy result!—under the wand of the manager, mute though he had been as harlequin, the majority passed over to the other side—there they sat deaf as adders, they would not listen to the voice of the charmer, charm he never so wisely—the forty-nine were swollen to one hundred and sixteen; and, under the process of the same enchantment, the hundred and forty-nine were reduced to a poor twenty-one—I myself being amongst them; so that I had the honour of finding myself in a sort of hackney coach minority, cheek by jowl with the right hon. gentleman:—and such would be his fate to-morrow, were he to drop down from the eminence where he now stands, to the position which he occupied on that luckless occasion; or, more hapless still, if his thunders, instead of rolling in the clear, the heaven of power, were to be heard only from this ill-omened left—the blighted regions of disaster and perpetual defeat.

I have, however, no difficulty in accounting for the feeling which induces ministers and their partisans to keep out of sight the machinery which moves their system; and to conceal if they can, even from themselves, for a moment, the real character of their parliamentary power. I wonder not to hear them break out, not unfrequently, into the language of virtuous ambition, and boast of that fair influence over the minds of their fellow-countrymen which enables them to promote the prosperity of the nation, and the welfare of the world. They would, doubtless, be glad to escape from the trammels of corruption; they would prefer to reign

"———Uncumbered with the venal tribe,
Smile without art, and win without a bribe."

Hence the declaration of the right hon. Foreign Secretary which I have before noticed—hence the virtuous scorn with which, the other day, the chancellor of the Exchequer repelled the hint, that he clung to the paltry patronage of his office.

Indeed, Sir, in proportion as the present condition of an English minister must be crossed with many cares and vexations, and obnoxious to the disgusts inseparable from the vile traffic in which he deals, and the hard bargains he has to drive, so I cannot picture to myself any employment more noble—any employment more dignified, than that of a patriot minister in a reformed parliament.—Conscious of the purity of his motives,—possessed of power sufficient to satisfy any honest ambition—presiding over the destinies of a nation superior to any that ever yet challenged the admiration of mankind—with what honest pride, with what unmingled satisfaction, would such a minister expound to an unbought and unbiassed parliament the objects and the resources of his generous policy? How confidently would he appeal to the real representatives of the people for an approval, or, certainly, for a candid judgment, of those measures by which he had laboured for the happiness and prosperity of their common country. Their cheers would then not only play round his head, but they would reach his heart—they would be, at once, the proof and the reward of his virtue—they would give to him, living and present, those honours which are usually decreed only to the absent or to the dead — they would enable him to anticipate the judgment of posterity, and would, as it were, unfold to him that page of history in which his own name would be found recorded amidst the fairest triumphs of liberty and civilization.

These, however, may be thought the

reveries of a student, rather than the sober views of a practical politician; and perhaps I shall be told, that the reformers have made little or no progress in the attainment of their object. It is true we are not so sanguine as to promise ourselves a speedy fulfilment of our wishes—we do not fix the day, or point out the precise period, which shall be illustrated by the great event which we, nevertheless, confidently anticipate; but we have still a rational, a well-grounded hope, that our object will finally be accomplished; and that, by perseverance, courage, and a well-regulated zeal, we shall at last triumph over the patrons and promoters of corruption.

Sir, I have lived to see many surprising reforms, which had I dared to foretel, I should have been ridiculed as the wildest and most enthusiastic of dreamers; I have lived to see our jury system and our criminal code revised by a Secretary of State; I have lived to see the wretched fabric of commercial prejudice and antiquated policy overthrown by another minister of the Crown; and, lastly, I have lived to see the important department of our foreign administration filled by a statesman who has burst asunder the bonds that chained us for so long to the despots of the continent, and made this great country a partaker in the conspiracy against the liberties of mankind.

Having witnessed this extraordinary revolution—having seen such unhoped-for changes, what is there to make us despair of bringing about that greater reform, which the best and the wisest of our countrymen have declared to be essential to our happiness and our permanent glory?

I am sure that the wish for reform is daily gaining ground. It is not to be expected that the same eagerness for any great change should be evinced at all periods; and, as in times of tranquillity, the evils of misrepresentation cannot be felt so severely as in less prosperous days, so the call for a reform cannot be equally urgent, under all circumstances and conditions of the country. It is only when the disease displays its most malignant symptoms that the demand for the remedy is most frequent and decisive. But, if I can show you, as I can, that, on all fitting occasions, the great mass of the people express an opinion favourable to the change in question—if I can show you that, when any large class of the community are distressed, they, and the nation with them, resort almost instinctively, at once, to the only cure for the grievance—a parliamentary reform; then, I say, I have a right to declare that the cause is silently, but surely, working its way, and that the feeling now so prevalent, will soon become general, and, at last, universal. Yet, such has been the fact, when the manufacturers in the north were distressed, some years ago, what thousands of converts from all classes were added to the ranks of reform; not merely those who were themselves sufferers, then adopted this salutary principle, but those of exalted station, who had been before blind to the inevitable evils of the present system, took the lead in the demand for a popular representation. When, subsequently, the agriculturists were depressed, reform again gained disciples, and the most ardent admirers of things as they are, began to discover that, by some means or the other, the people were not duly represented in this House. Amongst these late, but sincere and efficient converts I may mention one—the member for Somersetshire (sir T. Lethbridge). Thus, the reformers may boast that, in all emergencies, they receive an accession of numbers, both within and without the walls of parliament; and thus they may fairly hope to bring about their all-important change, by the usual operation of events carrying with them conviction to the minds of their fellow-countrymen. I repeat, we would accomplish this peaceably, and from within, in order that it may not come turbulently, and from without. I know, at the same time, that this abdication of their own throne, is hardly to be expected from any body of men. How seldom has a single individual resigned the ensigns of authority. The Dioclesians and the Charleses were rather wearied with governing than satiated with power—"lassati, non satiati." History furnishes only one Washington. It may seem therefore, too much to hope that those who now are in possession of the Borough representation, and who, in fact, are the masters of the country, should be willing to diffuse amongst their fellow-citizens privileges which are now exclusively their own; and yet, such a self-denying ordinance would not only redound to the future advantage of these individuals themselves, but would be generous, and noble, and glorious beyond all the examples of patriotism.

Nor need we despair. Already have

we seen some of that powerful body willing to consent to the honourable sacrifice. The Russells, the Cavendishes, the Grosvenors, and the Vanes, have only to be joined by the other monopolists of the elective franchise, and the great object would be immediately attained. The same age would then witness the reformation of our jurisprudence—the adoption of a sound commercial policy—the recovery of that character which England so long maintained in the eyes of foreign nations; and, lastly, the establishment of that real popular control over the measures of government, which alone can secure the continuance of all other advantages, and save us from a relapse into the miseries inseparable from a corrupt and delusive system of representation.

Lord *Francis Leveson Gower* rose and said:—Entertaining as I do the intention of voting against the motion of the noble lord, I am anxious to explain some of the reasons which induced me to take that course. It is not without some regret that I place my feeble opposition in the path which the noble lord imagines to conduce to the amelioration of the government of the country. I believe that there are persons here—I know that there are those elsewhere—who, instead of watching what they cannot, and aiding what they ought not to resist, are always placing themselves in the way of those irresistible changes which the course of events is producing. I wish to explain why I deny that a concurrence with the motion of the noble lord is a test of a separation from that party, and exemption from its feelings—why, while I disclaim a voluntary blindness, I yet avert my gaze from what the noble lord thinks light—why I oppose his moderate views with more calmness, but not less decision, than I should those of a more sweeping and radical reformer.

Debates upon this question have naturally taken their character from the periods at which the discussion of it has taken place. I cannot conceal from myself, that the difficulty of opposing it increases in proportion with the moderation of its mover, and the tranquillity and good order of its supporters without these walls. I cannot now, as Mr. Pitt did in 1793, point to the vortex which had then swallowed the last wrecks of social order in France, and was then murmuring for its neighbouring prey. The evil of radical reform, which, in 1817, afforded to the opposers of an honourable baronet much of argument or pretext, is now silent, if not suppressed. In this quiet state of things the noble lord invites me to join him in an expedition in pursuit of the improvement of our system of government. Can that noble lord insure me from unbidden associates on our path? I think, after the speech of the hon. member for Westminster, he will hardly venture to do so. Can he insure me against accelerated motion, change of original destination, and other inconveniences which lawful travellers, by sea or land, would gladly avoid? If he cannot, then, indeed, the invitation which I might otherwise have accepted, from mere gaiety of spirit, or want of better occupation, becomes a matter of serious reflection, and I am thrown back on the consideration, whether it is necessary or expedient to accept it at all. The question assumes to me a dry calculation of probabilities, the first element of which I take to be the consideration of that which we at present possess; and, in my mind, that consideration precludes me from examining the other division of the subject which we might hope to substitute.

With respect to the practical operation of the present system, difference of opinion I know exists. My estimate may be wrong; but, in spite of that list of errors which the hon. member for Westminster has drawn up, in spite of the sinking fund and the dead weight, I must avow, that I look up to the constitution as it is, with something beyond mere resignation to its agency or submission to its power. In estimating its results, I am not content merely to observe its positive merits. I must also take into account those which I call negative. When I look round on other governments, past and existing, and observe how the talents of the ministers have been applied to the task of paralyzing the energies of their subjects, of pressing down those nutritive juices whose natural course mounts upwards to spreading and exuberant prosperity, I revert, with some complacency, to England; and, I ask with confidence, is this the result of her constitution? I take into my comparative view of her government, not only the good which it does, but that which it does not present; not only the evil which it averts, but that which it does not encourage. I am no blind believer in the abstract perfection of its details. I cannot trace any mysterious connection between the prosperity which exists under its shadow, and the less perfect parts of its composition. I do not profess to discover any hidden link uniting the cotton mills of Manchester, or the navies which ride in the ports of London and Liverpool, with the boroughs of Galton or old Sarum; but I say, that, at least, the existence of the latter has proved no obstacle to the prosperity of which I have chosen the former as the symbol and representative. A party I know there is, whose argument for reform is founded on contempt and scorn for this House—who hold, that a mass of unrepresented talent is wandering about, excluded from its walls. I admit so much of their argument, that the proceedings here have been as imperfect as the beings who compose it, and those who send them here. I admit that on some occasions it may have represented too faithfully the imperfect state of information which existed on subjects from which all obscurity is not yet removed—subjects, for instance, of political economy or commercial regulation. But, to those sweeping declarations of scorn I can only answer, that I, without a shadow of claim to a share in the councils or measures of this House, bearing arms which exhibit neither the scars of conflict nor the tokens of success—"parmaque inglorious alba"—am ready to take my portion of its infamy, and to suffer the scorn and reprobation to light wherever the impartial finger of posterity shall direct it. On the tried and practical excellence of one government I ground my opposition to the motion of the noble lord, and resist the insertion by him of that wedge which the hon. member for Westminster has fairly and openly avowed his intention to drive, with all his strength and spirit, into the constitution of the country.

There is another party, Sir, which, with the noble lord, holds a language more moderate, and demands reform on grounds extremely plausible. They allege the vast improvement of the country, the progress of education, and say that this general extension demands some kind of co-extension, of parallel progression, in the forms of our constitution. I by no means intend to enter upon the whole of this argument, but shall confine myself to a topic connected with it. I allude to the political agency of the press. I know it may be said, "you are exposed, and therefore you should be perfect, you are unclothed and bare, and therefore every lineament of your constitution should be able to stand the test of the theorist's magnifying glass. I think, on the contrary, that publicity, by securing great practical good, diminishes the necessity for that scrupulous nicety as to forms which are, after all, nothing but means to an end." That engine, Sir, the press, works with a power which nothing but its own vices can impair. The moment a man sets forth in public life, that moment he is within its grasp; and the extent of its dominion, like that of the Roman empire described by Gibbon, leaves no place of refuge to him who provokes its resentment, or incurs its animosity. Like all the best gifts of heaven given for noble purposes, it has been degraded to the worst; but I for one am not so sickened by its pollutions, so blinded by its profligacy, as not to know that one great object, the conservation of the purity of government, it almost completely attacks. In the contemplation of this mighty engine for good government, I confess that mere forms assume to me a character of comparative insignificance. If this country were destitute, as once all nations were, of this mart for public opinion—if a minister is desirous of obtaining information as to the wishes and opinions of those who were interested in his measures, were obliged to procure scanty drippings, faint indications from salaried agents, from prætors or proconsuls down to low informers—if, in such a state of things, resistance were more easy than complaint, and rebellion more ready than remonstrance; if, to use the words of a northern author, claymores still had edges, and the pen described a more limited circle than the sword—in such a state of things, some reason might be found for many of the proposed improvements in our constitution. It might then be fair to insist, that the representative should assume more nearly the character of local agent for the district which sent him here. Why, we, Sir, should become the mere shadow of our constituents—

> "With them advance, retire, arise, or fall—
> Nothing ourselves, and yet expressing all."

Some excuse might be found why this House should then lose, as lose it surely would, much of its deliberate character—why it should reflect more correctly and instantaneously all the violent progressions, the sudden re-actions and tremulous fluctuations, to which great masses of men are always subject.

These, Sir, are some of the principal reasons why I object to the motion before the House; but while I so oppose it, I know that change which I cannot oppose, and improvement which I would encourage, are alike at work on our constitution. We heard last year, in one of the greatest efforts of oratory this House ever listened to—I mean the speech of the Attorney-general for Ireland on the Catholic question, that time was a great reformer. The operation of this reformer is described better than I can do it, by Dryden, in his lines to his friend Sir Godfrey Kneller:

> "What mortal art can do is here express'd,
> But venerable age shall add the rest.
> For Time shall with his ready pencil stand,
> Retouch your figures with his ripening hand,
> Mellow your colours, and embrown each tint
> And every grace that Time alone can grant,
> To future ages shall your fame convey,
> And add more beauties than he takes away."

This the poet describes to be the operation of time. He does not represent it as changing the expression of the circumstances, or the arrangement of the figures. Such I believe to be his operation on the constitution of this country. I own that, though I can discover in its composition some antique peculiarities and grotesqueness of detail, I yet shudder to approach, with the intention of repair a composition which, with all its faults I must look at with reliance and admiration, which I wish to transmit to my posterity unchanged and unimpaired.

Mr. *Martin*, of Galway, said, he could not let the opportunity pass, of making an observation upon one circumstance which had been urged by the hon. gentleman opposite, as evidence of the defective system of representation; he meant the assertion, that, among the majority which had voted for separating the offices of Treasurer of the Navy and the President of the Board of Trade, there could be found the name of only one county member. Now he (Mr. M.) happened to be that county member [Cries of there was another]. He stood corrected. He believed there was the name of another county member in that majority, and he believed he could say, that that county member gave his vote as independently as he (Mr. Martin), or any other hon. member of that House. It had been also said, that the hon. members who formed the majority on that occasion were placemen. Now, he could say for himself, that he did not hold any office under the Crown. He once held an office under the Crown, but that office he gave up when the union between Ireland and this country was effected, and he told the ministers of that day that he (Mr. M.) should be as ready to support the government as he was when he held a valuable office. That pledge he had redeemed [question, question]. He trusted the House would allow him to make a few observations upon that subject. It was said, by those who advocated reform, that we were upon the eve of a general election. That was true and, if he should become the victim of an organized system of opposition which existed in the county which he had the honour to represent, he could assure his majesty's ministers that he would never attribute what he might suffer to the vote which he had given upon that occasion. He attributed the defeat of that motion to a question put by the hon. member for Surrey to the chancellor of the Exchequer; namely, whether that right hon. gentleman had ever paid the amount of the defalcation of one of his clerks? He would say, that the right hon. gentleman was indebted to the clemency of the Treasury for not having to pay that money, but he did not consider the clemency of the Treasury had any thing to do with the liability of the right hon. gentleman. He would put one question to the hon. gentleman opposite upon this subject. If the gentlemen on the other side happened to oust his majesty's government, and to get into power, would they not exact, to the last shilling, any balance which might appear against the right hon. gentleman? Again, he begged to ask, whether any gentleman opposite, possessed of capital, would accept the salary of treasurer of the navy, and guarantee to make good the defalcations of all the clerks under him? No man of capital would accept the salary upon such conditions [question, question]. Patience, patience, gentlemen. He, with another, had been dragged as a criminal to their bar, and he trusted that they would grant him that privilege which was not denied to any other criminal, namely, to hear his answer to the charge. He thought the time of the president of the Board of Trade was sufficiently occupied by the duties of one office, and he therefore voted for separating the two offices. They were upon the eve of a general election; and upon the eve of such an event, no hon. member in that House could prophecy that he would again have a seat there; and, therefore, every man who was reproached with having done any thing wrong, ought, upon such an occasion, to vindicate himself. The proposition of the noble lord who introduced this motion was, to disfranchise one hundred rotten boroughs, and to transfer the franchise to one hundred other places. When the noble lord had, upon a former occasion, introduced a similar measure, he (Mr. M.) made a proposition, which he now repeated, namely, that the noble lord and his friends about him should submit their own boroughs to that degree of castigation to which that noble lord proposed to submit the boroughs of other persons. He was glad to find, that that proposal met with the approbation of the hon. member for Westminster, who held up those noble and honourable persons as willing to sacrifice their own property to effect a great public good. Now, he begged to ask, when those hon. gentlemen proposed to make this sacrifice? Not until this question should have been carried; and they well knew that it never would be carried. Now, he would propose, that those noble persons should, in the first place, transfer the franchise from their own boroughs to other places, and if, after two or three years, he should find that the system worked well, he would support the noble lord in any motion which he might bring forward for applying the principle to other boroughs. He could not then cite observations which had been made by the right hon. Secretary for Foreign Affairs upon this subject; but he well remembered an observation which he had heard made by an eloquent leader of the opposition, he meant the late Mr. George Ponsonby, who said, that the man who wished to meddle with the representative system in England, was a mischievous politician; that reform was necessary in Ireland, but that in England reform was not necessary. He would not have risen except for the purpose of justifying the vote which he had given upon a question to which he had already alluded, and he would repeat, that whether or not he should be the victim of a corrupt combination in the county which he had the honour to represent—a combination supported by one who was indebted to him for his seat in that House—he should never attribute defeat or triumph to the vote which he had given upon the occasion alluded to.

General *Palmer* said, he had no intention of troubling the House with a speech upon the question; but considering the notice which had been taken of him by the hon. member for Orford, and other observations lately made upon the representation of the city of Bath, he was desirous of saying a few words on the part of his constituents and himself. As a friend to reform, although the representative of a close borough, he had stood in the same predicament as the hon. member for Calne, in his late attempt to amend the representation of the city of Edinburgh: but, whatever might be thought of his conduct, he had voted with a sincere desire to carry the question, and as he had done by Edinburgh, he would have done by Bath, had her case been brought forward. How far in this he had consulted the feelings of his constituents, would be soon for them to determine; but considering the personal attack lately made upon them, he would take the liberty of observing, that the corporation of Bath had given the only example of a close borough, alike independent of the Crown, the administration, and the aristocracy of the country; and of which, as one of its members, he could declare, he had not a single vote at his command, but was indebted for his seat solely to the free will of the electors. It might be true, that the greater part belonged to the medical profession; but if honourable members would "throw physic to the dogs," he hoped, at least, they would give his constituents credit for their conduct, in not availing themselves of their unconstitutional power, to promote their private interest.

The Hon. *William Lamb* said, that after considering the arguments advanced in support of the measure proposed by the noble lord, he was obliged, from conviction to vote against it. The great objection, which he had to the measure altogether, and the great ground on which he rested his opposition to it was, that he could not see, nor had any person pointed out clearly to him, what real benefit could be derived from it. But while he said this, he felt it due to the noble lord who introduced the question, to state, that he had brought it forward on better grounds, with more extensive information, and on sounder principles, than any individual had done who had previously brought it under the consideration of the House. Still, however, giving to the noble lord every praise for the ability he had displayed, he could not pay him the compliment to take him as his guide in a course so doubtful, so experimental, and, he would add, so utterly unlikely to lead to the object which the noble lord had in view. He knew very well the advantage of coming forward at the present moment, with so much discipline and so much information, and supporting the cause of parliamentary reform. And if he could, conformably with the dictates of his conscience, take that side of the question, he could assure the House that he would do so with very good will. But his view of the subject was entirely different from that of the noble lord, and therefore he must oppose his motion. The noble mover had stated, that he was not favourable to democracy; the noble seconder had echoed the same opinion; and the hon. member for Westminster had declared that he wished for nothing that could tend to revolution. Now, he would only say, in answer to this, that individuals did not always want what they got, nor get what they wanted. The question here was, not what gentlemen were seeking; but supposing they got that which they sought, what an effect such an event would have on the constitution? And his opinion was, that the alteration which was proposed would trench extremely on the monarchical portion of the constitution. He would not stop to argue, whether the influence of the democracy was too great or too little in the balance of the constitution. This, however, he would distinctly and decisively declare; that, while he would do nothing to diminish it, he certainly would do nothing that could have the tendency to increase it. In his opinion, all the advantages appeared to be on the part of the people. The press was generally in their favour, and most of the speeches which had been delivered that evening were, perhaps, intended to produce a strong effect on the hustings. It was said, that all those who appeared on the side of government were influenced by corruption. Every pecuniary motive, every worldly interest, was attributed to them, as directing their conduct. The hon. member for Westminster had alluded to motives of this description, as influencing the votes of those who generally supported the measures of government. That hon. gentleman, however, could only judge from his own feelings. He could not know what were the motives by which the actions of members in the House were governed; and he had no right to impute to them improper motives. He argued, from the uniformity of the votes of some gentlemen, coupled with the offices and salaries which they enjoyed, that they frequently voted contrary to their real feelings. If, however, the hon. gentleman formed his judgment, on that principle, he (Mr. Lamb) had an equal right to form his judgment, with respect to popular votes, on what he had actually witnessed; and he would say, that in the course of his parliamentary experience, he had seen many votes given, in conformity with the wishes of the people, which he believed in his heart, soul, and conscience, were contrary to the feelings of those who gave them. Such votes were not unfrequently given, to prevent contests, to avoid a hostile feeling amongst electors, and thus to save expense. Viewing them in that light, he considered such votes to be just as corrupt as any that ever were given in support of the prerogative of the Crown, or in opposition to measures which were introduced by those who called themselves the especial friends of the people. Let it not be supposed, however, that he preferred a despotic form of government to a democratic one. Far, very far from it. But this he would say, that, in his view of the subject, the Sultan of Constantinople, the Shah of Persia, or the Dey of Algiers, were subject to a more efficient responsibility than the leaders of a democratic assembly. On the grounds which he had stated, he would seriously urge the House not to agree to this proposition. It was impossible for them to see their way completely through it; and so far as he could see his way in it, the effects, were the motion carried, would, he was convinced, be most pernicious.

After a short reply from lord John Russell, the House divided: For the motion 123; Against it 247; Majority against the motion 124.

List of the Minority.

Abercromby, hon. J.
Allen, J. H.
Althorp, visc.
Anson, hon. G.
Anson, sir G.
Baring, H.
Baring, sir T.
Barrett, S. M.
Benett, J.
Bentinck, lord W.
Bernal, R.
Birch, J.
Brougham, H.
Burdett, sir F.
Butterworth, J.
Byng, G.
Calcraft, J.
Calvert, C.

Calvert, N.
Carter, J.
Cavendish, C.
Cavendish, H.
Clifton, visc.
Coffin, sir I.
Colborne, N. R.
Creevey, T.
Crompton, S.
Davies, T.
Denison, W. J.
Denman, T.
Dundas, C.
Dundas, hon. T.
Dickenson, W.
Ebrington, visc.
Ellice, E.
Ellis, hon. G. A.
Evans, W.
Fergusson, sir R. C.
Fitzgerald, M.
Foley, J. H. H.
Folkestone, visc.
Gaskell, B.
Glenorchy, visc.
Gordon, R.
Grant, J. P.
Grattan, J.
Grosvenor, hon. R.
Guise, sir W.
Gurney, R. H.
Heathcote, G. J.
Heron, sir R.
Hobhouse, J. C.
Honywood, W. P.
Hornby, E.
Howard, H.
Hughes, W. L.
Hume, J.
James, W.
Jervoise, G. P.
Johnson, W. A.
Ingilby, sir W.
Kemp, T.
Knight, R.
Labouchere, H.
Lamb, hon. G.
Langston, J. H.
Leader, W.
Lester, B. L.
Leycester, R.
Lloyd, sir E.
Lushington, S.
Maberly, J.
Maberly, W. L.
Macdonald, J.
Marjoribanks, S.
Martin, J.
Milton, visc.
Moore, P.
Monck, J. B.
Newport, sir J.
Nugent, lord,
Ord, W.
Osborne, lord F. G.
Palmer, C.
Pares, T.
Philips, G. sen.
Philips, G. jun.
Power, R.
Pryse, P.
Ramsden, T. C.
Rice, T. S.
Rickford, W.
Ridley, sir M. W.
Robarts, A.
Robinson, sir G.
Rowley, sir W.
Rumbold, C. E.
Russell, lord W.
Scarlett, J.
Scott, J.
Sebright, sir J.
Smith, hon. R.
Smith, W.
Stanley, lord
Sykes, D.
Tavistock, marquis.
Taylor, M. A.
Tennyson, C.
Tierney, rt. hon. G.
Tomes, J.
Townshend, lord C.
Warre, J. A.
Webb, E.
Wharton, J.
Whitbread, S. C.
Whitbread, W. H.
Whitmore, W. W.
Williams, J.
Williams, J. P.
Wilson, sir R.
Wood, M.
Wrottesley, sir J.
Wyvill, M.

TELLERS.

Duncannon, visc.
Russell, lord J.

THAMES WATERMEN.] Mr. Alderman *Wood* rose, to move for leave to bring in a bill for the better regulation of the Watermen of the river Thames from Gravesend to Windsor. The hon. member strenuously urged the claims of the body whose cause he had undertaken to espouse, to the attention of the House. He would boldly say, that no set of men were better entitled to the consideration of the legislature than the watermen upon this river, amongst whom there were thousands of the ablest seamen in the empire. It was well known that this valuable class laboured under restrictions upon their vocation which no other of the industrious classes had to contend against, and this was an injustice the more obvious, from the great distress to which at seasons they were exposed. One of the means by which he proposed to make a more sure provision for these individuals was by a regulation, that no boats should be let out to hire upon the river without the parties hiring being obliged to take a waterman with them.

Mr. Secretary *Peel* said, that the hon. alderman had, some nights since, done him the honour to consult him upon the subject of his present motion; but he really had not been able to ascertain, for some time after he had risen, whether the speech he was making had reference to that question or not. The statement of the hon. alderman upon that occasion, he had understood to be, that watermen were not at present permitted to ply upon Sundays, whilst there was another class who did ply and work upon the river. Upon that view of the question, he certainly had thought that a restrictive regulation of that description was necessary, especially as others were permitted to do what these men were interdicted. He then said, and he still thought, that it was too scrupulous an observance of the Sabbath to exact, under such circumstances; and he therefore, had declared, that he saw no objection to the worthy alderman's motion. He had, however, no idea that he meant to propose a measure of such minute regulation as that which he had proposed to the House. It appeared to him to affect the interests of so many different parties, that he could not but think that the worthy alderman ought to postpone those regulations which went beyond the alterations to which he had alluded, to another year.

Mr. Alderman *Wood* said, he should be very willing to accede to any wish of the right hon. gentleman upon the subject.

Mr. *M. A. Taylor* observed, that the object of the bill was, to allow certain watermen to ply on Sundays. He wished the pleasures of the middle class of the people on Sundays not to be interfered with. He recommended his hon. friend to confine himself to that part of his bill which would permit the watermen to ply on Sundays.

Mr. Secretary *Peel* said, he had no objection to that clause.

Mr. *Ellice* said, he would recommend his hon. friend to bring in his bill for the sole object approved of. The grievance could not be too soon removed, and he was the more inclined to hope for the concurrence of the right hon. gentleman as he must have known, that watermen were frequently committed to Coldbath-fields in consequence of their inability to pay the fines imposed on them for plying on Sundays.

Leave was given to bring in the bill.

STEALING IN GARDENS AND HOT-HOUSES.] Mr. Secretary *Peel* said, that he had already intimated to the House his intention to postpone the bill for consolidating the laws relative to Larceny till next session; but there was one law—that relative to stealing in orchards—which he could not consent to leave in its present state, even till that period. By the law, as it now stood, a school-boy stealing an apple, a passenger casually passing along a road and taking a little fruit, was guilty of a felony; and the magistrate had no discretion, but must commit for that offence. The severity of this law prevented its execution, and it failed in affording that protection to garden property, which it was intended to afford. He meant, therefore, to bring in a bill to amend the law, and give a power to the magistrate to levy a fine treble the value of the property stolen; and where the party was unable to pay this to leave the magistrate the power of committing the offender to prison. The right hon. Secretary concluded by moving for leave to bring in a bill to amend the law respecting the offence of stealing in gardens and hothouses.

Mr. *D. Gilbert* expressed his approbation of the intended measure.

Mr. *Sykes*, although he was glad to find that it was intended to repeal the act of last session, was nevertheless of opinion, that no new measure was necessary. The law which existed against malicious trespassing being adequate to the punishment of the offence in question.

Mr. *Peel* was of opinion that the law against malicious trespassing would not extend to such offences as robbing in a garden. It was necessary to enact some other punishment than that which the law against malicious trespassing provided.

Leave was given to bring in the bill.

IRISH CHURCH RATES.] On the motion for bringing up the Report of the Irish Church Rates' bill,

Mr. *Grattan* proposed a clause to enable vestries to assess their respective parishes for the relief of the poor.

Mr. *J. Smith* said, that this important subject for the poor of Ireland had been most shamefully neglected by government. As a proof of this, he referred to the able report of the committee appointed to inquire into the state of the poor of Ireland. Not only had nothing been done to alleviate the miseries of the poor of Ireland, but nothing had even been attempted. In England there existed a great want of employment for the lower orders, and the evil had been materially increased by the influx of shoals of Irish labourers. This was not using the industrious peasantry of England fairly; and such an interference with the advantages to which they were entitled ought not to be permitted. He earnestly called upon the Irish Government to shew at least a disposition to mitigate the sufferings of the poor of Ireland.

Mr. *Goulburn*, after contending that it was improper to insert such an important clause in a bill which chiefly had reference to other subjects, proceeded to deny that the Irish Government had shewn any indifference to the miseries of the lower orders. On the contrary, much had been done, and more attempted, for their relief; especially in encouraging and giving employment to the labouring classes, in ameliorating the general administration of the country, and in extending her commerce.

Mr. *V. Fitzgerald* opposed the clause, and warmly reprobated the infliction of the poor-laws upon the inhabitants of Ireland.

Mr. *J. Smith* said, he preferred the clause as a minor evil, compared with the greater evil of the wretchedness and destitution of the poor.

Mr. *Monck* thought, that in every country where a high state of civilization had been arrived at, a redundancy of population was a necessary consequence. The effect of this was, in its turn, greatly to enlarge the pauper classes of the community. Now, he conceived it to be the duty of every nation, under such circumstances, to make adequate provision for those, whose pauperism was not their own fault; and seeing that the clause proposed was not even of a compulsory nature, while it was calculated to have the beneficial effect of extending the burthen of that support, which the rest of the people were bound to provide for their poor, over the rich as well as the middling classes of Ireland, he should support it. The proposition was not of an entirely novel character, even in Ireland; for an act of the 11th and 12th of Geo. 3rd made it imperative upon counties, &c. of that country, to provide, each of them, a house of industry for the maintenance of the unfortunate poor of such county or district.

Mr. *Dawson* opposed the clause, believing it of vital importance to prevent the introduction of the principle of the poor-laws into Ireland.

The clause was rejected.

SPRING GUNS BILL.] Mr. Tennyson moved the third reading of this bill.

Mr. *N. Calvert* objected to one of the clauses, which in its present form would have this effect, that, in the case of a man burglariously breaking into a house, and being shot by a spring gun, the party about to be robbed would be liable to an action for a misdemeanour, on account of keeping a spring gun in his house.

Sir *G. Chetwynd* objected to the bill, on the ground that if it passed into a law, a person setting a spring-gun in his dwelling-house, garden, or hot-house, might be found guilty of manslaughter, and banished for life; and would likewise be liable to a civil action for damages. There was a manifest distinction between setting guns in woods or forests, and setting them in warehouses, dwelling houses, hot-houses, and gardens. In most cases the guns were not actually set, but the threat was held up in terrorem to frighten thieves and poachers.

Mr. *R. Colburne* objected to the bill; but protested against the supposition that he, and the rest who opposed the measure, were deficient in humanity.

Mr. Secretary *Peel* concurred in the measure. If a spring-gun was to be defended as a punishment for a trespass, a man might also defend the springing of a mine, by which a whole gang of poachers might be destroyed at once. He for one could not approve the power of punishing with death a trespass, which, even if a man were convicted, would only bring upon him a punishment of three months' imprisonment. If persons were anxious to preserve game, let them keep a physical force sufficient for that purpose. He was a game preserver, and he always kept a sufficient number of persons for that object. At the same time, he would wish to make a distinction between spring-guns set for the preservation of game, and for that of walled gardens. In the case of game, a man might be only a trespasser, but, in the other, a man might enter with the intention of committing a felony. He could wish that the bill had made an exception in favour of gardens; on which, in many cases, a man's whole subsistence depended.

Mr. *W. Horton* said, he would have no objection to the bill if it were to last for only one year; by which time he hoped that some law would be passed for legalizing the sale of game; but he did not, without such a measure as that, wish to see this bill made permanent.

Mr. *G. Lamb* said, that the only objection he had to the abolition of spring-guns was, that they sometimes shot those who had set them. He could wish to see the bill more perfect than it was; but still he would give it his support.

Mr. *Goulburn* said, that he would support the bill, if it embraced the amendment of last year; namely, that the prohibition of the use of spring-guns should be limited to woods, under-woods, or open fields.

Mr. *J. Smith* was in favour of the bill. He, for one, would wish to see the experiment made by an hon. friend of his (the member for Lewes) more generally adopted. It was that of behaving so kindly to his poor neighbours as to put an end to the necessity of poaching on their part.

Mr. *Wynn* would vote for the third reading, and also for the amendment of which his hon. friend had given notice.

Captain *Gordon* said, he would support the bill. It had been said, that the law of Scotland did not require such a measure. If that were the case, it would be unnecessary to include that part of the kingdom in it; but he could wish that some member, who knew the law of Scotland, would state what it was on this subject.

Mr. *J. P. Grant* gave his assent to the bill, but objected to the clause, making death by a spring-gun manslaughter.

The House then divided; For the bill, 24; Against it 25; Majority against the bill 1.

HOUSE OF LORDS.

Friday, April 28.

Tithes—St. Olave's Parish.] The Marquis of *Lansdown* presented a petition from the inhabitants of the parish of St. Olave, in the city of London, complaining of the rector, on the subject of Tithes. He had been requested, he said, to present this petition in the early part of the present session, but as he was anxious that an accommodation should take place, he had recommended a postponement till a later period. An opportunity for a reconciliation had thus been afforded, which he was sorry had not been realized. The noble marquis then stated, that the tithes of this parish, which had been in the time of the former rector 6*d.* in the pound, had been raised by the present rector to 1*s.*, and from 1*s.* to 2*s.* 9*d.* in the pound; that his income had thus been augmented 1,800*l.* a-year. The petition was signed by the majority of the householders of the parish. He was aware, that the right rev. prelate opposite had endeavoured to bring about a reconciliation; and that he had not been successful, he must, in common with the rest of the House, lament.

The Bishop of *London* thanked the noble marquis for the courteous manner in which his remarks upon the petition had been made. Among the charges brought by the petitioners against the clergy was one, that wherever the parishioners were engaged in a contest with the clergy there was no chance of justice for them. In this charge he was sure their lordships would not feel disposed to agree. The real state of the case between the petitioners and the rector he believed was, that the latter had the legal right to raise the rates upon his parishioners to the amount of about 2,400*l.*; but he had not, in fact, raised them to any such amount. The arrangement he had proposed to make with them was, to impose the rate of 1*s.* 6*d.* in the pound universally through the parish. This would have made the rental about 1,350*l.*; but it was found impossible to effect that arrangement, from the dissent of some who at present paid only 1*s.* in the pound, while others paid 1*s.* 6*d* and 2*s.* 9*d.* It might be true, that the sum he had mentioned was a large amount; but how could he, in his place in that House, condemn a clergyman for taking less than he was legally entitled to? It was most desirable, he admitted, that an arrangement between the rector and his parishioners should be effected; but if there was any part of his share in the business for which he thought he owed an apology to the House and the church, it was in the assent he gave to the introduction of a bill into parliament, to settle the amount of the rental of the parish, which was to be binding not only on the present rector, but on his successor. It was in consenting to a measure which went to deprive the successor of his just legal rights that he had done wrong. His object had been, to endeavour to promote peace and quiet in the parish, and see an end of litigation, and the rector living in harmony with his flock. In this he had acted as the best friend of the clergy, and he trusted to the motives by which he had been actuated for his excuse in making such a concession.

The Marquis of *Lansdown* observed, that the right reverend diocesan had undoubtedly acted in the best manner for the interests of the church in the course he had taken. He could not, however, so easily acquit the rector of St. Olave's, who was otherwise interested in the bargain which he was prepared to make with the parish. The petitioners were now in possession of a letter to prove that the rector was willing to bind himself and successor to take no more than 1,000*l.* a year, on condition of their paying him 8,000*l.*

The Bishop of *London* said, that with reference to the proposal mentioned by the noble marquis, there could be but one course for him to pursue, which was to stigmatize it with his most decided reprobation. When he said that the proposal itself was new to him, he ought to state that he had heard of it as among the many plans in agitation to bring the question to a settlement; but he certainly had not been aware that it had gone to the extent mentioned.

Ordered to lie on the table.

HOUSE OF COMMONS.

Friday, April 28.

Debtor and Creditor Bill.] Mr. *Bright* presented a petition from the inhabitants of Coggeshall in favour of this bill. He took occasion to observe, that he had to apologize to the House for not having brought forward the bill relating to this subject at an earlier period. It was his intention to bring it forward on

Monday, when the House would have an opportunity of deciding upon it.

Mr. *Sykes* agreed, that this bill would be a most important improvement in the existing laws respecting debtor and creditor. He thought that the clause in the bill, which went to enable partners, if they thought proper, to arrange their affairs, without being obliged to undergo the expensive process of bankruptcy, would have the best effect. He could see no reason why the bill should not have a retrospective operation. There were many cases of parties who wished to settle their affairs, to which the application of this clause would be an object. He therefore thought that the bill should include all cases of compromise in future, as well as those which might now be in progress.

Mr. *Bright* was willing to receive any suggestion which gentlemen would be so kind as to make with respect to this bill. All he wished for was, a full and fair discussion.

CORPORATE RIGHTS IN IRELAND.] Mr. *Spring Rice* rose to present two most important petitions, signed by upwards of 40,000 Roman Catholics. The first petition complainted of the law of Corporations in Ireland as it affected Roman Catholics; and the second complained that the conditions of the Treaty of Limerick had not been complied with. All parties, whether for or against the question of Catholic emancipation, seemed, he said, to concur in thinking that the present time was not the most favourable for the agitation of that question. In compliance with that feeling, he would not at present enter into any discussion on those petitions, as they necessarily involved the general question of Catholic emancipation. He could, however, if necessary, prove the injustice and impolicy of continuing those religious disabilities to which the Catholic population of Ireland were subjected; and if it were necessary, he could also show that the complaints embodied in these petitions were founded on truth and justice.

Mr. *Dawson* trusted the House would excuse his saying a few words, for not only did these petitions concern the parties by whom they were signed, but materially affected the character of the government and people of Ireland. These petitions were the production of the new Catholic Association, which, notwithstanding its professions of submission, had opposed itself in a manner so barefaced to enactments of the legislature. Nothing could be more unfounded than were the statements of these petitioners: and he thought it not a little strange, that no one could have been found in that body to express a dissent from assertions so inconsistent with the fact. The complaint of the petitioners was, that the restrictive laws by which they were affected were a gross violation of the Treaty of Limerick, and that the Protestants of the present day were equally culpable with those by whom the laws in question had been originally enacted. He would just call the attention of the House to the first article of the Treaty, lest, if these petitions be received sub silentio, it be inferred that they rested upon something like strong grounds. This article stated, that the Catholics were to enjoy all the privileges of which they had been in possession in the reign of Charles 2nd, undertaking that a parliament should speedily be called in Ireland, with whom influence should be exerted to obtain for the Catholics the free exercise of their religion. Now, if he could show that Catholics did not sit in either House of Parliament, the inference that there had been no violation of the Treaty would be unavoidable. A resolution agreed to in the House of Commons in the year 1642, after adverting to the lamentable condition of the country, owing to the conduct of persons of the Popish persuasion, declared that in future no member should sit in that House without taking the oath of supremacy, and that all who might refuse to do so should be considered as having vitiated their elections. To show that this was not intended to be a mere resolution, it was followed up by an order of the House, on the 10th of August, 1642, that a new writ be issued for the return of a member for Drogheda, in the room of Mr. Brick, who had refused to take the oath of supremacy; and it further appeared from the Journals of the Irish House of Commons, that those persons who did not subscribe to that oath were not allowed to take their seats. Now, admitting the right of the petitioners to have restored to them those privileges which were enjoyed by the Roman Catholics in the reign of Charles 2nd., it became necessary to see what their condition at that time was. It would be found that, in 1661, in the first parliament after the restoration of Charles 2nd., a resolution was agreed to, nemine contradicente, that a committee be appointed, to guard against the admission to the House of persons who had not taken the regular oaths; and, accordingly, an order next day issued, nominating certain commissioners, who were to see that every member should, before he took his seat subscribe to the oaths of allegiance and supremacy. These facts he contended, furnished the most incontrovertible evidence, that neither in the Houses of Lords nor Commons, were Roman Catholics entitled to sit in the time of Charles 2nd., and, therefore, that, as far as the Treaty of Limerick was concerned, they had no claims to that distinction. But then it might be said by the hon. gentleman opposite, that the resolution alluded to was nothing more than an ordinance of the House of Commons, and could not have the effect of depriving his majesty's subjects of those privileges to which they were by law entitled. To an objection of that nature he would reply, that it was a resolution of the Irish House of Commons which deprived the clergy of the tithe of agistment. A reference to the proceedings of the English parliament at that period would prove that there existed in this country the same apprehensions of the Catholics as were entertained in Ireland; for it would appear, that the Test and Corporation acts were passed here at the very same time that the Catholics were excluded from the Irish House; so that in both countries, the same exclusion was carried into effect. The Treaty of Limerick was signed on the 3rd of October, 1691, but was not to be binding until acquiesced in by the king. One of the articles of the Treaty provided that, as soon after the ratification of the Treaty as his majesty could summon a parliament, he would recommend the adoption of such further measures as would preserve to the Catholics the free exercise of their religion. The Treaty did not receive the king's signature until the 5th of April, 1692; but, in the intervening period, an act, purporting to be for the security of the nation, and the exclusion of improper persons, passed the British parliament, positively excluding all Catholics from seats in either House. This act received the royal assent on the 24th December, 1691. If, therefore, the Catholics did not remonstrate with the king during the progress of that bill, was it not fair and reasonable to infer from their silence, that they did not consider it as a violation of the Treaty of Limerick? The act in question affected their political privileges, and still there was no complaint heard on their part. Independently of this evidence, in itself sufficiently strong, he could derive additional support from the opinions of those who would be most anxious to fasten on whatever furnished a plausible ground of complaint. Mr. Molyneux, for instance, a great advocate of the interests of Ireland, and a warm friend to the Catholics, in his list of the grievances endured by his country, mentions the act alluded to, as a proof of the injustice and injury to Ireland of English interference, but not as an injustice to the Catholics, and certainly not as a violation of the Treaty of Limerick. In fact, he merely enumerated it as one of the many attacks made by the English parliament on the independence of Ireland. Now, if it could be regarded in any other light, was it for a moment to be supposed that this gentleman, possessing, as he did, the most exalted ideas, the most enlarged understanding, would not, in his advocacy of the Catholic claims, have had recourse to it to strengthen his argument? The hon. gentleman was induced to throw out these remarks for the purpose of disabusing the English nation of the impressions likely to be created by statements purporting to come from 40,000 petitioners; but any person knowing how matters were conducted in meetings, such as this petition emanated from, would attach little importance to the number of its signatures. It was well known, that in these assemblies one or two gentlemen assumed to express the opinions of all the Catholics of Ireland, and that in the absence of any person to control or to contradict them, they distorted history, misstated facts, and turned every thing to their own purposes. They might be allowed to act thus at their Catholic associations; but when they sent their petitions to that House, containing unfounded assertions, they must expect to be met with a proper and prompt refutation: and, further, he wished to impress on them, that there was no use in clamour or violence, unless supported by truth and justice.

Mr. *Spring Rice* said, he regretted much the course which the debate had taken; but the responsibility must rest with the hon. gentleman who had just sat down, and not with him, who had been in fact taunted for the simple manner in which he had introduced the petition. His hon. friend had, by his speech, imposed upon him the necessity of doing what he had carefully abstained from at the beginning; namely, arguing this question upon the grounds taken by the petitioners. Now, however, that the duty of using such a line of argument was forced upon him, his hon. friend had only to thank himself for receiving the triumphant and conclusive answer of which his speech was susceptible. He regretted to hear the speech of the hon. gentleman, and wished that he had not had recourse to that species of attack and vituperation with which it abounded. True it was that the petitioners talked of "the barefaced violation of a solemn treaty;" but, if they were violent in their expressions, were not others equally so? What! was there not some excuse for men smarting under the infliction of wrongs, whilst the opposite party were enjoying the blessings of fortune and the possession of office? Violence there was on both sides, but of a different character; one party had no cause to produce or justify it; they had no injuries to complain of. He wished that the Treaty of Limerick could be referred to a fair and impartial tribunal, to determine whether its letter and its spirit had not been violated in the exclusion of Catholics from political privileges; and he wished to be considered as fully agreeing with the petitioners, that they were entitled to their claims, upon the foundation of the Treaty of Limerick, and of the law of the land. The argument of his hon. friend, as well as of others who on former occasions had preceded him, had rested solely upon the first article of the capitulation. He would proceed to show that, upon that subject, the conclusions to which his hon. friend had arrived, were wholly irreconcileable with law, with facts, and with historic commentary; and he would proceed to demonstrate, that, waiving all arguments derived from the first article, the petitioners were well founded in their statements on other and independent grounds. The first article preserved to the Catholics all the rights they exercised in the reign of Charles the 2nd. What were those rights? Did they or did they not possess and exercise the right of sitting and voting in parliament at that period? His hon. friend asserted, that they did not, and how did he maintain his position? He traced their exclusion to a mere resolution of the House of Commons. Was that a legal exclusion? Had the House of Commons, by resolution, a power of depriving the electors of the nation of their right of choosing a representative? This was force and tyranny rather than law. When the hon. gentleman referred to the resolution of the Irish House of Commons, where, he would ask him, had he read history? whence had he derived his constitutional principles, when he defined a mere resolution of that House as an act of the legislature? and when with a still greater infelicity his hon. friend referred to the act of the 4th of William and Mary, he would ask, where did the hon. gentleman acquire his notions of Ireland's independence, when he ventured to contend that the British parliament had, at the period in question, the power of enacting laws for the government of Ireland? As well might he have maintained that an act of that House was now binding on France or any other foreign country. He regretted the use that had been made of Mr. Molyneux's name. He had expected that the memory of that distinguished individual would have suggested better feeling. Still, on examination, it would be found that the evidence of Mr. Molyneux was on his (Mr. Rice's) side. Mr. Molyneux, it should be remembered, was not called upon to argue the Catholic question. Mr. Molyneux's admirable work had no reference to the Treaty of Limerick. From his silence on this point no inference could be drawn; but his substantial argument was conclusive against the statement of the hon. member for Derry. His hon. friend asserted, that Catholics were deprived of their rights by the 4th William and Mary, a British statute. Mr. Molyneux had asserted, that the British Parliament had no authority to bind Ireland. Which way, therefore, he would ask, did the authority of Mr. Molyneux incline? But his hon. friend was as directly contradicted by the statute itself as by Mr. Molyneux. He was equally unlucky both in his illustrations and authorities. That statute, so far from reciting that Catholics had theretofore been excluded from parliament, asserted the very reverse. On this legislative declaration he could rest the construction of the first article of the Treaty of Limerick. That act recited the liberty which Popish Recusants have had and taken to sit and vote in Parliament. Was not this a conclusive reply to the statement of their prior exclusion? But his hon. friend had proceeded to say, that the Catholics were excluded by the oath of supremacy. He denied that fact. If the statement were true, they must have been excluded from the days of Elizabeth, whilst, on the contrary, they had sat and voted long subsequent to that time. In the first parliament of James the 1st, there were 93 Catholics in a House consisting of 220. How, then, did this fact agree with the assertion, that they were excluded from parliament? The truth was, that the oath of supremacy was never in either country an absolute exclusion. In England their exclusion was effected by the 30th Charles the 2nd, passed for that very purpose, and no contemporaneous statute of a similar kind had passed in Ireland. He therefore concluded, that Catholics possessed parliamentary rights in the reign of Charles the 2nd—that those rights had been secured by the solemn Treaty of Limerick, ratified and confirmed by act of parliament—that those rights had been subsequently taken away, and that consequently the articles of Limerick had been violated. He refused to admit the authority of the British parliament, and he denied that a mere resolution of the House could exclude any man chosen by the people for their representative. As well might the House now seek, by a resolution, to exclude Irish and Scotch members from being returned to sit in it. It was unfair to argue that the Catholics, by their silence, acquiesced in the act passed between the signing and the ratification of the Treaty of Limerick; it was not because they admitted the justice of that act, but because they were beaten down and oppressed. They had it not in their power then to remonstrate. Neither the acquiescence of the weak nor the usurpation of the powerful could determine a right.—But supposing that, hitherto, his argument had been as open to objection as he contended it was conclusive; the strongest part of the petitioners' case remained still to be stated. Waiving all consideration of the first article, and admitting for argument sake that the oath of supremacy did exclude, he would nevertheless contend, that the petitioners were warranted in their statement, and justified in their prayer. The hon. gentleman had only referred, or alluded to, the first article of the Treaty; but, if he looked to the 9th article he would find that the Catholics of Limerick stipulated, as well for themselves as for their fellow Catholics, that they should be required to take no other oath but that of allegiance. If then the oath of supremacy had formerly proved as a bar to their political rights, was it not to be presumed that they would have been relieved from it by this ninth article, and were they not distinctly protected from the subsequent disqualifying oaths by which their present exclusion was effected? Were not those oaths a violation of treaty? William had promised, and parliament had ratified, the engagement, that no new oaths should be required, and indeed no oath but the oath of allegiance. Other and new oaths were now imposed by the legislature. Will any gentleman undertake the task of reconciling these promises with this performance? For his own part he thought that that man who read the Treaty of Limerick, and did not feel that it had been violated, had neither a heart in his bosom nor brains in his skull. That such was the impression, at the time, and that the Catholics were considered to have received the advantages of political eligibility, appeared from many eminent authorities. He would not appeal to such authors as his hon. friend's often-refuted archbishop King. He would not appeal to men who were removed by time or station from the events they described. His authority was not a Catholic writer, or a man ignorant of state affairs. His authority was that of the friend, the companion, and the historian of king William. He alluded to bishop Burnet, who states expressly, "That when the Irish came to capitulate, they insisted on very high demands, set on by the French, who hoped they would be rejected. But the king had given Ginckle directions that he should grant all the demands they could make, that would put an end to the war. So every thing was granted, to the great grief of the French, and the no small disappointment of some of the English, who hoped this war would have ended in the total ruin of the Irish interest. Those of Limerick treated not for themselves only, but for all the rest of their countrymen. They were indemnified and restored to all they had enjoyed in king Charles's time." Here the Bishop evidently alluded to the first article; but he then proceeded to comment upon the ninth, and added "They were also admitted to all the privileges of subjects upon their taking the oath of allegiance, without their being bound to take the oath of supremacy." Here, then, on the evidence of a contemporary historian and statesman, was the complete and unanswerable support of his argument, or rather what he would venture to call his demonstration. "All the privileges of subjects," were the expressions of Burnet—words so large and comprehensive, that no person could deny the right of Catholics to sit in parliament under the Treaty, unless he were prepared to show, that to sit in parliament was not among the privileges of a subject. The petitioners, in stating that parliament, in continuing their exclusion, participated in the original guilt of the violation of the Treaty, had certainly not meant to allude to the majority of that House, which had repeatedly attended to their prayers. The language of the petition was forcible, as became men, and still respectable to the House. He had felt no wish to agitate the question, but, having been driven into the discussion, he had endeavoured to do justice to the truth and argument of the case [hear].—The hon. member, in conclusion, strongly enforced the arguments which were founded upon these undeniable historical facts, and endeavoured, as he said, to demonstrate on every principle, legal and historical, the correct view taken by the petitioners of the effect of the Treaty of Limerick, which had been entirely misrepresented by his hon. friend.

Sir *John Newport* said, that little remained for him to offer, after the triumphant answer given by his hon. friend to the speech of the hon. gentleman opposite. Indeed, attacks from that hon. gentleman upon the Irish Catholics for intemperance came with the worst possible grace; for, both in that house and out of it, he had been himself remarkable for heaping vituperation upon them. To follow up that practice on the present occasion, was very ill-advised, considering the official station which the hon. gentleman filled. Equally singular was it, that the hon. member, of all men, should have revived the worn-out attempt to bind Ireland by resolutions of a British House of Commons, when his constituents had eminently signalized themselves, at the time of the establishment of Irish independence, in resisting that usurpation, and had sent forth their volunteers to assert the cause of their country. He had, however, lived to see a member for Derry re-assert and venture to justify that gross and nefarious usurpation, long after the resistance made to it by Ireland, and after the formal abandonment of the principle by England herself.

Mr. *Dawson* explained, that he only alluded to the acts of the English parliament, as illustrations of the mode in which the matter had been understood by the parties concerned. When confident assertions were made, unless something was said against them, it might be supposed that the House acquiesced in the accuracy of such assertions. The Catholics could not expect that they should, as in their own Association, have all the debate on their own side.

The *Solicitor General* said, that whatever discussion had arisen, was provoked by the hon. member opposite, who had certainly taken a wrong view of the effect of the Treaty of Limerick. Indeed, until lately, this sort of argument in favour of the Catholic claims had not been thought of. The Treaty of Limerick was certainly not dwelt upon by the ablest advocates of the Catholics. He should, on the present occasion, confine himself to the record of his protest against the use of any arguments in behalf of the Catholic claims, founded upon a violation of the Treaty of Limerick.

Mr. Secretary *Peel* said, that, not having been present at the beginning of this discussion, he would refrain from entering into the general argument, and confine himself simply to saying, that he by no means acquiesced in the view, that the privileges now withheld from the Catholics were so withheld in violation of the Treaty of Limerick. It would be time enough when that argument was formally urged, to combat it, which he should be certainly prepared to do; retaining as he did his original opinion respecting that Treaty, and not concurring in the assertion, that the admissibility of the Catholics to political power had been withheld in consequence of its operation. The petitioners themselves seemed doubtful of the extent to which they meant to press their argument founded upon the Treaty of Limerick, or on that particular article of it which was framed to secure them in the exercise of their religion, as far as was consistent with the laws of Ireland. Now, did they mean that by this provision they were to be free from molestation in the exercise of their religion, or did they construe it into an admission of their claim to equal eligibility to civil office? He rather thought that they confounded both senses in their construction; for they asserted their right to sit in both Houses of parliament, by virtue of this Treaty. If that were the true construction, there was an end at once to the question; but believing it not to be so, he must dissent from the view taken by the petitioners.

Mr. *S. Rice*, in reply, said, that this construction had been put on the Treaty of Limerick by some of the most eminent crown lawyers in Ireland. He should be most willing to argue the question on this ground with the right hon. gentleman.

Ordered to lie on the table.

Bribery and Corruption Bill.] Lord *John Russell* said, that as the right hon. gentleman opposite had some objection to parts of this bill, and as he could not hope for any success in the other House, unless the measure had previously received the almost unanimous concurrence of this, he would postpone the measure till the next session; but he certainly would bring it forward at an early period then. At the same time, if it met the wishes of gentlemen opposite, he would consent to put his proposition in the shape of resolutions.

Colonel *Davies* expressed his regret, that his noble friend found himself under the necessity of postponing his bill. It was a measure much to be desired, and framed upon principles which could not fail to recommend it to the friendly attention of the House.

Mr. *Wynn* said, he had an objection that the House should do that by bill which they were competent to do without the assistance of any other branch of the legislature. He was willing, however, to concur in any effectual measure for suppressing the evils against which this bill was directed.

The further consideration of the report was then postponed for three months.

Criminal Justice Bill.] On the motion of Mr. Secretary Peel, the order was then read for the third reading of the Criminal Justice bill.

Mr. *J. Smith* took that opportunity of requesting the attention of the right hon. Secretary to the defective state of the police of the metropolis, with respect to the apprehension of offenders. At present, notwithstanding the facilities afforded by the magistrates, there was great difficulty in urging the officers to their duty, without the expenditure of large sums of money. In a case that had recently occurred, in which the banking house with which he was connected had suffered greatly, their loss had been further aggravated by charges to the extent of 9,000*l.*, incurred by endeavours to secure the offenders. This was an evil of considerable magnitude, and tended directly to the increase of all crimes, except those of the most atrocious nature. Accordingly, it would be found that crimes, attended by acts of violence, were less frequent than formerly; but it was otherwise with respect to those of a fraudulent character.

Mr. Secretary *Peel* said, he understood the object of the hon. gentleman to be the establishment of a Board of Police, like that of the Customs or Excise, in order that there might be a regular gradation of authority in that department. He was, however, inclined to doubt the policy of such a measure. He did not consider it desirable to create any new officer with greater powers than those possessed by an ordinary magistrate. He questioned whether the erection of any intermediate authority, between the Secretary of State and the magistracy in general, would not be contrary to the principles of the constitution. The police of the metropolis he certainly did not think defective. One great advantage resulting from it was, that there were always magistrates at hand, to whom the inhabitants could apply for advice and assistance. If, instead of having eight divisions, one chief officer or board were constituted, the hon. gentleman would find he had not advanced one step towards his object. The alteration would only have the effect of complicating the system of police, and lessening the authority and responsibility of the Secretary of State.

Mr. *G. Lamb* moved the addition of a clause, "that no indictment should be abated, annulled, or discontinued, on any plea of misnomer, or for want of addition; but that in such case, the court should have power speedily to amend the error according to the affidavits, and proceed with the trial forthwith."

Mr. Secretary *Peel* agreed, that it was desirable that every facility for the escape of the guilty should be removed, if by so doing no security was taken from the innocent. On this principle, he saw no objection to the clause.

The clause was added by way of rider, and the bill passed.

Wrongous Imprisonment Bill.]

On the order for the second reading of this bill,

Mr. *J. P. Grant* said, he felt it was impossible, at that late period of the session, to pass this bill through the different stages with the deliberation to which its importance entitled it. He was aware, too, that the right hon. gentleman had not been able to give his attention to the subject. He would therefore postpone it to another year.

Mr. Secretary *Peel* regretted the necessity of deferring the consideration of a bill of so much importance, but his time had been so entirely occupied that he had been utterly incapable of attending to the measure. If, however, he did not give the hon. gentleman notice early next session, as to the intentions of government with regard to this subject, he would leave it to him to bring it forward at his own discretion.

Mr. *Abercromby* said, that this was a question of the last importance, and he lamented, that, as the matter had been stirred, there was not an intention to proceed with it.

The bill was then ordered to be read a second time this day three months.

CHARING-CROSS IMPROVEMENT BILL.] Mr. Arbuthnot having moved the third reading of this bill,

Mr. *Hobhouse* wished to ask the right hon. gentleman how soon these improvements were likely to be commenced, as it was of considerable importance to the householders, whose property would be affected thereby, that they should be made acquainted with this fact as early as possible, in order that they might make their arrangements accordingly.

Mr. *Arbuthnot* said, that if this bill should be permitted to pass into a law, the commissioners would feel it their duty to lose no time in carrying it into execution. He could not, however, speak accurately as to the time when these improvements would be commenced, until, by purchase or exchange, he gained possession of the buildings which would have to be pulled down. He should, however, feel it his duty to consult the public accommodation as much as possible. As he was up, he would take that opportunity of correcting a mistake which had gone abroad, respecting what he had said on a former occasion. It had been represented, that he had said, in answer to a suggestion that these improvements could not be carried into full effect unless that part of the Strand in the vicinity of Exeter Change were widened, that the marquis of Exeter was averse to such a measure. Now, he had merely said, that it was desirable, whilst we were devising public improvements, that we should interfere as little as possible with private property; and since then, he had had communications with the marquis of Exeter and the duke of Bedford, and both those noblemen expressed their anxiety to lend their aid towards the accomplishment of the proposed improvement.

The bill was read a third time.

EAST-INDIA WRITERS BILL.] On the order of the day for the committal of this bill,

Mr. *Denman* said, that the incompetency of the persons who had been formerly sent out to India, to fill the situations in which they had been placed, had been the cause of the most serious mischiefs, and had brought this country into great disrepute there. It was in order to correct this evil that the East-India college had been founded, and, in his opinion, the experiment had fully succeeded. The requiring of the certificate, that a party wishing to go out to India in the civil service had been properly educated for such purpose, had, in his opinion, had a most beneficial effect in preventing incompetent persons from being sent out. He could, indeed, have wished that the certificate had been incorporated in the bill itself. Some honourable members, and amongst them his hon. friend, the member for Aberdeen, supported this bill as a means of getting rid of the college, which they considered a failure altogether. Now, he looked upon the college in a very different light indeed, he considered it as the only mode which had yet been devised of controlling that abuse of patronage which had formerly prevailed so extensively amongst the directors. He appealed to the right hon. secretary opposite, who, on all subjects, was a high authority, and particularly on the affairs of India; he appealed to him, whether he could approve the expediency of removing this only effectual check over that large discretionary power possessed by the company. He trusted the subject would not be left in the vague and uncertain state in which it before was. In this college he felt a deep personal interest that would not influence his judgment, if the course which he wished to see followed did not serve the permanent interests of our oriental dominions; but he should lament extremely if that institution which was adorned by the names of a Mackintosh and a Malthus, and other worthy associates, although their names were not so prominent in the public eye—he should be sorry that such an institution should be annihilated, and the labours of such men be lost to the country. He did not mean to defend the defects of the college. There had been a few rebellions amongst the boys; but they had proceeded from imaginary notions with regard to vested rights, which made them turn round on their governors; but it would be to him a matter of deep regret that this salutary restraint should be removed.

Mr. *Trant* said, that all his experience contradicted the assertion, that previous to the establishment of this college, the persons sent out to India were uneducated. It was now many years since he and his hon. and learned friend opposite were schoolfellows at Eton; and many of the young men who had at that time received their education at that establishment, had since been distinguished in the service in India. In his opinion, the civil service had been very little improved by the establishment of the college, which had, he conceived, totally failed to answer the purpose for which it had been founded.

Mr. Secretary *Canning* said, that his concurrence in the bill before the House was not founded on any apprehensions that the temporary suspension of the qualification from the Haileybury College, would lead to the destruction of that institution. On the contrary, he quite agreed with the hon. and learned member opposite, that, although, in former times, great men had appeared in India, yet the country had a right to expect that there should be some competent security for the instruction and education to be possessed by those who were sent out to India. The nation had a deep interest in the question; and had a strict right to be assured, that those who were destined for India should have some preparatory education previous to their departure. At the same time, he concurred with the hon. member behind him, that if there could be a guarantee for the general education of those appointed to offices in India, he might hesitate between the present specific and a more general plan of instruction. For, he believed that, for all the purposes which men could be called upon to execute, the English gentleman's education was decidedly the best. But there were no means of obtaining this desirable object, except by the test of examination; and then there were partialities and a thousand other impediments to operate against the purity of such a test. With respect to the institution under discussion, it appeared to him that, under circumstances of peculiar difficulty, it had been conducted with eminent credit to those to whom its management was intrusted, and with great utility to the public service. At the same time he must say, that if it were to begin over again, he could wish that, instead of having the establishment in the centre of a barren heath, remote from all society, it were placed under the local supervision of one or other of the Universities. It was to be regretted, that the whole time of the students was devoted to their own studies, and their years spent in the society of those with whom their future lives were to be passed; for it would be much preferable if they were mixed up with the other youth of England, who were to devote their lives to other pursuits. He was sorry that any cause had occurred for the temporary suspension of the powers of that establishment; but, in giving his support to this bill, he could only give his pledge of honour that he had no such intention as to get rid of it altogether; and, if there should be any change in its future management, it would only be the kind of change to which he had alluded, that of introducing a general system of education, instead of the specific instruction which was at present pursued.

Mr. *Lushington* said, that, having had two sons at the Haileybury College, he was enabled to speak to the character of the education furnished there, and he must say, that it appeared to him that the system was excellent. One of his sons was reported to be qualified for the public service in seventeen days after his arrival in India, and the other in six months; and, when young men were thus prepared, he thought it was the best proof that the College fulfilled the purposes for which it was intended.

Sir *T. Baring* said, he could bear testimony to the dangers to which young men were exposed during their continuance in Calcutta. They often imbibed habits which proved extremely prejudicial to them in their progress through life. Any measure which could have the effect of shortening that residence, would be highly advantageous to the cadets, and beneficial to the service.

Colonel *Baillie* consented to the bill, because he considered it expedient to supply the deficiencies of the public service. The regulations of the bill were not intended, in the slightest degree, to injure the College, but simply to provide a sufficient number of persons possessing the qualifications which were requisite for such situations.

Mr. *Denman* expressed his entire concurrence in the opinion of the right hon. gentleman with respect to the propriety of engrafting such an establishment as an East-India College, upon one of the Universities.

Mr. *Wynn* said, that this bill was not brought forward for the purpose of diminishing, but of increasing, the qualifications of the young men who entered into the service of the East-India company. He defended the College from the attack which had been made upon it, and lamented that ninety-six was the greatest number of students that could be educated within its walls. There were only two plans by which the East-India company could obtain an adequate supply of efficient servants. One of them was, to allow young men to qualify themselves elsewhere than at the College, and the other to increase the number of young men educated there. Now, this latter plan could not be immediately adopted, since it would take some time to erect additional buildings for their habitation, and the company required an immediate supply of active servants. The first plan, therefore, must be acted upon for a time, and he conceived that much advantage might be derived from the competition which it would create among the promoters of the different systems of education for young men proceeding to India. He could not see any reason why a young man, who had gone through the usual routine of a public school, and had afterwards applied himself at the Universities or elsewhere to the study of the languages of India, should not be equally well qualified for service in India with a young man educated at the College. He could not forget that one of the company's most able servants, Warren Hastings, had been educated at Westminster-school, in the same form with Lloyd and Churchill, and Colman and Cowper; and that he had retained the love of literature which he had imbibed there in his youth, amidst all the active pursuits of his maturer life. He could assure the House that the utmost care would be taken to render the examination of the young men previous to their departure for India, an effectual and searching examination. He agreed with his right hon. friend, that it would be desirable to connect the College with one of the Universities. He proposed to pass this bill only for three years, in order that it might be re-considered at the end of that time, when the House had obtained further experience on the subject.

The bill then went through the committee.

EAST-INDIA NAVAL FORCE BILL.] On the order of the day for the second reading of this bill,

Mr. *Bright* said, that notwithstanding the thin state of the House, he would take that opportunity of making a few observations on this bill. He knew and lamented the indifference with which all subjects connected with India were treated by the people of England; but, involving as it did, the question of the government over a hundred millions of people, it was entitled to the most serious consideration. One reason of that indifference was, that the Commons of England had no opportunity of examining very minutely into the matter, for want of the information necessary to enable them to understand it. An immense quantity of papers lately published by the East-India Company did, it was true, contain that information; but they were not before the House. He had, with great labour, waded through the whole of the mass to which he alluded, for the purpose of enabling him to form his own opinion on the subject; and he wished that it was placed in the hands of all the members of the House. He believed that the result would be extremely beneficial to the country, and useful to the interests of India. At present, the generality of the people of England knew nothing of the affairs of India, but what they learned from the gazettes. It was a fact, that the very last papers respecting the progress of the Burmese campaign, which were published in the London Gazette, were not official papers, but copies, or extracts taken from copies, of private letters [hear, from Mr. Wynn].

He would take upon himself to say, that such was the fact; and, if there were any doubts entertained upon the subject, he would forthwith produce the newspaper which he had in his pocket, and which contained the publications in question. It had long been the case, that one of the very few means which the country had of knowing the real condition of things in our Asiatic possessions, was the periodical application officially made in parliament for the supplies necessary for the expenses of the naval and military services of the British government in India. But here was a bill, which, inasmuch as it went to vest the cognizance of the former of these matters solely in the East-India Company itself, would in future prevent the parliament from knowing any thing at all about the affair. True, it might be said, that the people of England were poor, and the East-India Company rich; and that the former ought to be glad of having the burthens of this particular naval service removed to the shoulders of the latter. He hoped it was true that the Company were rich. He hoped that parliament would not hear of any loans, either voluntary or forced, granted to them by the native princes of India, in order to enable them to prosecute the war in which they were now engaged. As to the relief from the burthen in question, which it was intended that the English people should experience, he could only say, that, although there was a general cry throughout the nation for economy in all the departments of the public service, he was still convinced that, if parliament consented to abolish the usual course of holding the Company to these wholesome applications, from time to time, of which he had already spoken, it would, by the same proceeding, most effectually deprive itself of all superintendence or control over the affairs of India. It really appeared to him, that the House ought to call upon the right hon. gentleman to produce those papers which had been recently published by the East-India Company; papers which contained more valuable information on the subject of Indian affairs, than any which had been lately promulgated, and which, although not printed by order of that House, could scarcely be said to be not official. On these grounds, he did consider that this bill ought not to pass the House; or, at all events, before any such bill passed, that the finances of the East-India Company should be submitted to parliamentary examination.

Mr. *Wynn* observed, that the expenses of the war in India were paid out of the funds arising from the Company's territorial possessions in that country. By the Company's charter, the Indian government were bound to support 20,000 troops in India; and, if a war with any of the native powers should render an addition to that force necessary, then the expenses of that additional force were also to be defrayed by the Company. But a naval force, for the purpose of aiding the military operations in that country, being a new feature in their mode of warfare, had not been contemplated in the charter, and therefore the present bill had been introduced, for the purpose of regulating the method in which the expenses of that service were to be defrayed.

The bill was read a second time.

HOUSE OF LORDS.

Monday, May 1.

Corn Laws—Distress of the Manufacturing Districts.] Lord *King* said, he had a petition to present to their lordships which was deserving their most serious consideration, it was a Petition from certain Weavers at Manchester. It deserved their lordships' consideration, from the time at which it was signed, and the circumstances under which it was presented. The petition was distinguished for good sense and moderation; and the petitioners, he was happy to see, strongly disapproved of the improper conduct of some of the workmen in destroying machinery. They stated, that they did not conceive that their deep distress had been caused by machinery. It gave him satisfaction to learn, that the weavers who signed the petition could, at such a time of distress, perceive that their sufferings were not caused by machinery, but by the Corn-laws. They stated two very good reasons why the Corn-laws injured them. First, they stated that the Corn-laws prevented their getting food as cheap as they might otherwise get it; and secondly, that the Corn-laws prevented such other countries from taking our manufactures, as had no other means of paying for them than by corn. Thus their operation was twofold, and they injured the manufacturers doubly. Before he sat down, he must do the noble earl opposite the justice to say, that he had declared it as his opinion, that some alteration was necessary in our present system of Corn-laws. He hoped he still retained that opinion; and though he was sorry that the time was not yet come for acting on it, he hoped, when it did come, that the noble earl would not recede from his declaration. The petition was so temperate, that he should move that it be read at length; which was accordingly done.

The Marquis of *Lansdown* did not rise to offer any observations on the contents of the petition just read. He did not wish to introduce any thing that was matter of controversy; on the contrary, he desired to avoid expressing any opinion on the particular question which was the subject of the petition. But he would, with their lordships' permission, take that opportunity of adverting to some circumstances which must be known to their lordships, connected, he was sorry to say, not only with the distress of which the petitioners complained, but a multitude of other persons, unhappily involved in the same distress. When he observed, from the state of the papers on their lordships' table, that it was in their power, as he understood it was the intention, of putting a speedy termination to the labours of the session, he wished to take that opportunity of urging on their lordships' attention, and on the attention of his majesty's ministers, the expediency of not allowing the session to terminate without making some provision to relieve distress that was so excessive as almost to induce despair. In any suggestion he might be disposed to make to meet that distress, he knew all the difficulties which he should have to encounter: he knew that taking any step to remedy, or even to mitigate such extensive evils, must be opposed by many obstacles; but, when he considered the peculiar circumstances in which those evils originated which now prevailed over so many districts; when he considered the many circumstances which took this situation out of the ordinary range of those occurrences; it was not desirable that parliament should interfere; and he knew well, and the older he grew the better he knew it, that parliament ought not to interfere to relieve those distresses, which would inevitably occur from variations in the seasons, and from changes in the relation of supply and demand; yet these sufferings were so much out of the ordinary course, that it was impossible parliament and the public should remain unconcerned or inactive spectators.—But, not to enter into topics which had been made, or could be made a matter of controversy, it was universally allowed, that the present distress was a consequence of that unexampled spirit of speculation which existed last year, and that thus this distress grew out of causes, over which these persons had no control though they were unhappily the victims. And, when he considered that the measures adopted during this session, for the regulation of the currency—measures, to which he had given his assent, as inevitably necessary for placing it on a secure foundation; but measures which, probably, by checking paper circulation, had also given a check to commercial enterprise; he thought a case was made out, which called for the cautious, but effectual interference of the two Houses of parliament; an interference that he was more anxious to urge on their lordships, because, from the circumstances of the case, there was a necessity for a vigilant—he might say, a vigorous and severe—interposition of the law, to protect that property, which it was not more for the interest of the proprietors, than it was for the interest of the unhappy transgressors themselves, should be protected. He felt that the interposition of the law was indispensable; but it was impossible also not to feel, that the circumstances which led to such excesses were such as to inspire compassion for a people so affected. Mr. Burke had said, "that when a man was starving, his case was taken out of the ordinary principles of justice, and necessitated in others a departure from the principles of punishment, and brought the case within the jurisdiction of mercy." The conduct of these people fell within this rule. For some temporary purposes, the parliament—though this was a principle rarely to be acted on—had, by a direct vote, placed the means of giving relief in the hands of the king's government: and he knew no measure he could, on the present occasion better recommend. He knew he should be told, by persons who felt as anxious as he did for the relief of these persons, that the best way was by public and voluntary subscription; and he was one of the last persons who would deny its advantages, or endeavour to depreciate the efforts of individuals who promoted this mode of relief, as, in his opinion, it was a better mode than any other, of alleviating distress in all cases like that of the present year; when distress was local, and when a subscription had been properly entered into for the Spitalfields weavers; but, when he took into his consideration the magnitude of the present evil, and the great difficulties of the country, he feared that a sufficient relief could not be obtained by this means; and he felt anxious that some provision should be made by parliament against that great and extensive evil which at present existed. He might also be told, though certainly not by the noble earl opposite, that some relief might be given by a reduction of taxation. He had always been one of those who had held, that in most cases a diminution of taxation was the speediest, the safest, and the most economical relief which could be given; and he had frequently found it his duty, in his place in that House, to urge on their lordships, and on his majesty's government, a reduction of taxation. Much had already been done; and, though he was not prepared to state that more could not be done, and done advantageously; yet he did not see that any reduction of taxation could immediately remove that evil which was the subject of their lordships' apprehension. Relief obtained from a reduction of taxation was slow and gradual, and could not immediately benefit those who were so reduced that they had no means of purchasing the means of subsistence, and who, however much prices might be reduced, could not obtain the enjoyments that were, in ordinary times, within their reach. He felt strongly the unhappy state of the population, and hoped he should induce their lordships to listen to his suggestion as to the expediency of making a provision, either by direct vote which could not, however, be proposed there, or by that more constitutional and safer mode, of an address to his majesty, assuring him of the ready concurrence of their lordships in any advances which the ministers of the Crown might think proper to make for the limited purpose of rescuing from starvation, under their temporary distresses, the population of the manufacturing districts. He was well aware that, under ordinary circumstances, this would be an objectionable course; but the case was very different when distress prevailed, not from scarcity, but from want of employment. He thought that the proposition which he now suggested might be adopted with advantage, until that state of things should arrive which was so anxiously looked for, and which, he doubted not, would be ultimately realised. If any difference of opinion prevailed on this subject, he was quite sure it did not proceed from want of feeling, but from a conscientious desire to advance the best interests of the community.

The Earl of *Liverpool* said:—I feel myself called upon, not only by the observations of the noble marquis, but by the importance of the subject to which he referred, to address to your lordships a few words. I do not wonder at the appeal which the noble marquis had made; but I trust he will do me the credit—nay, he has done me the credit—to believe, that I, in common with every individual in this House, feel as he does for the unfortunate state of the manufacturing districts of this country — a state which no man can see, of which no man can hear, without being appalled at the distress that so widely prevails, nor without feeling the deepest regret at the unhappy events which led to it. In attempting, however, to provide a remedy for this distress, various considerations suggest themselves to the mind, with respect to any plan that may be adopted. If parliament were to interfere, on the ground that this distress called for its interference, I beg your lordships to observe, that it would be the first instance (with the exception of Ireland, to which I will hereafter refer) in which it has interfered, by a vote of the public money, for the relief of any local distress. The very merit of the existing system of the poor-laws—which some consider an evil, and which others consider a good—is, that those who are in distress have the means of obtaining relief, without coming for that relief upon the public purse. If you administer relief in one instance, there is no knowing where it will have an end; and I conjure you to reflect how often cases may arise, in which it will be most difficult to distinguish where you should give assistance, and where you should withhold it. I conjure you to reflect, that some years back, when very great distress prevailed among the agricultural classes, and you were called upon to apply some remedy, after minutely considering the matter, you were obliged to abandon all hopes of giving any effective aid. I am well aware that a principle of this kind was admitted with respect to Ireland, a few years ago; but the circumstances then were very different to those that exist now. They were essentially different, inasmuch as no poor-laws existed, or had ever existed, in that country; but they were not different on this account only; for, in consequence of the peculiar situation of Ireland, you were enabled usefully to employ the money that had been raised, in the erection of public works, in the formation of public roads, and in many other ways, which were applicable only to the state of that portion of the kingdom. Therefore, I say, before parliament has for the first time drawn upon the public purse, with a view to relieve any local distress—a system which, if it be once begun, there is no knowing where it will have an end—every other experiment ought to be tried; and when I look upon the voluntary efforts, and individual exertions, that have so frequently distinguished this country, I cannot but hope and expect, that this mode will prove successful in the present case, as it has done in many others. When I recollect that a sum was collected for Ireland, so considerable as to exceed 300,000*l.*, I confess that my hopes are high in the anticipation that voluntary efforts will be sufficient to relieve all the distress that at present prevails elsewhere. If, then, it be possible to expect this, which would be every way more desirable, far more in principle, and far more in execution, than any other method that could be devised, surely this plan, of all others, should be resorted to; for I know of no individuals, or body of men, to whom there would not apply a real objection to their administering charitable relief. That relief may be effectually administered by a committee, but not by the executive government. The difficulties and the objections, therefore, apply less to this than to any other mode of affording relief. When I say thus much, it is impossible for me to avoid adding, that the time, and the events which have recently happened, render a revision of the existing laws which regulate the price of food absolutely necessary. I stated very early in the present session my opinion, that though I felt some alteration in the Corn-laws to be expedient, this was not the proper period when such alteration could be safely and properly made; and I now say further, that, independent of the objections which then existed, the very circumstances of the times put it totally out of the power of parliament to consider what ought to be the permanent price of corn; but I also say, that parliament ought not to separate without releasing the corn now in bond, and throwing it into the country, and that parliament ought not to separate without investing the king in council with the power of admitting a further supply; if such further supply should be considered necessary, giving the usual six weeks' notice of such intention. These measures it is in the power of parliament to grant, and their effects may be most beneficial. I am aware that the last is a power with which no government would wish to be intrusted. When the Corn-bill was brought in, it was desired by many to invest the government with such a power; but I then opposed such a principle, because I conceived, and I now conceive, that all laws relative to trade, and more especially those that relate to so important a subject as the food of the people, ought to stand upon some fixed and settled rule; but there are circumstances that form an exception to a general principle, and, under these circumstances, it becomes the duty of ministers to ask to be intrusted with such a power, and it becomes equally the duty of parliament to grant it.

The Earl of *Malmesbury* said, that he felt it necessary to offer a few words relative to the important observations that had been made by the noble lord at the head of his majesty's government. He had some time since stated, that if ministers conceived it necessary to admit into the market the corn remaining in bond, he would acquiesce in the proposal so to do. But with respect to the important measure of granting a power to admit additional quantities of corn, he hoped he might be allowed time to reflect on a subject of so much moment. He felt for the sufferings of the manufacturing classes, but he lamented deeply that they had been led to suppose that those sufferings arose from the present state of the Corn-laws. In Mr. Jacob's report, which he understood was of the highest authority, it was stated, that the foreign merchant, or corn-grower, including the duty of 10*s.* which even the noble baron (lord King) was disposed to allow, could not import corn into this country from the north of Europe under 60*s.* a quarter. But, for the last three years, wheat in this country had always been under 60*s*. a quarter. It was a delusion, therefore, to attribute the distress to keeping foreign corn from the market. He had understood that one great cause of the present distress was a want of demand in the foreign market for our manufactures; and the deluded people who broke up machinery and called for the abolition of the Corn-laws, were at the same time preventing themselves from ever again finding a foreign market, and were destroying their best customers at home. Those best customers were their fellow-subjects, the landed and agricultural interest. He would suppose that the landed interest formed three fifths of the whole; and what good could the manufacturers get by treading down so large a portion of their best customers? He should be ready to support any measures which tended to do away delusions like this. It might sound strange, but it was, nevertheless, true, and it was confirmed by experience, that the price of corn was cheaper and steadier when it was all supplied by our own land, than when a part of our supplies were brought from abroad. Taking the average of the last five years, and allowing for the altered value of the currency, it would be found, that the price of corn had been lower in these last five years than before the American war. It was only by supplying ourselves that we could be sure of a steady and settled supply. He concluded by apologising for having addressed their lordships, and by declaring his willingness to invest the king in council with the power mentioned by the noble earl.

Earl *Grosvenor* said, that the Report of Mr. Jacob was most important; but, at present, it was only ex parte, and ought not to be calculated on as authority. He was not disposed to enter into this question, but he could not avoid observing, that the bonded corn now in the country was insufficient to do much good. He agreed with the noble earl at the head of the government, that it was inexpedient to recur to any parliamentary measure for affording relief in cases of distress, except under very urgent circumstances, but he conceived those urgent circumstances now to exist.

The Earl of *Lauderdale* said, that he felt as acutely as any noble lord the distress of the manufacturers; but he thought it was indispensable, before they began to give relief, that their lordships should understand what was the cause of the distress; and first institute an inquiry. If their lordships proceeded on the supposition that the calamity was occasioned by the high price of food, they would induce in the country at large an opinion that was false in toto. The noble lord who spoke last but one had stated, that the price of corn had been both stable and low under the present system, and their lordships would find, that the system of the Corn-laws had had no effect whatever in producing the calamity. He had inquired into the subject, and, from the best information he could obtain, he believed there was no want of demand abroad for our manufactures; but the manufacturers found themselves hampered, and could not employ the men, because they could not find the means of paying them. What caused this? Was the country in adversity? Had it met with any misfortune? No: Until the meeting of parliament had any such distress existed, or was there any expectation of it? No. The manufacturers he had conversed with, all said there was no such want of employment—no such distress; and that both had been occasioned by the alarm spread abroad by the new measures brought into parliament. He could state that there was no one class of manufacturers, no man among the monied interest, who would not go much further than he had gone, and say that there was nothing to justify the measures of the noble lord. Credit was a tender thing. When any alarm was generated, men became immediately cautious; they drew in, and there was, for the time, an end of credit. The manufacturers, he could shew in evidence, were willing to employ their men; and they could find a market for their goods, but they could not find any means of paying them. There was no disinclination to employ the workmen, but there was a want of means to pay them. Rash or incautious measures might have the same effect on the landed interest; and, if the noble earl determined to interfere in the management of corn, he might excite alarm among the agricultural interest, and, by so doing, put the agricultural labourers in the same situation as the manufacturing labourers of the country. Now, he must say that, if this should prove to be the case, the whole responsibility would be on the ministers; for he had never known a more rash or imprudent measure than that of coming down to parliament, within a fortnight from the close of the session, and proposing a measure which was almost sure to create alarm, and which he could not but say presented appearances that might in some degree justify that alarm. He thought that, if that measure should be carried, it would go near to inflict as great a calamity on the agricultural labourers of the country, as had already been inflicted on the labourers employed in manufactures. What was the nature of that measure? Why the minister wanted the two houses of parliament, without inquiry, to empower him to admit any quantity of foreign corn into the country, and to set at liberty that which was now bonded in the warehouses. This was a very serious and important power, and he trusted that, until their lordships gave the noble earl the power he sought, he would, at the same time, be forced to call parliament together at an early day, in order to consider the state of the country. Though he did not oppose the proposition for releasing bonded corn, under the present circumstances of the case, he still thought that the noble earl, in calling for the other measure at that late period of the session, was asking too much from the confidence of parliament.

The Earl of *Liverpool* said, that the speech of the noble earl who had spoken last, made it necessary for him to say a few words. He agreed entirely in the opinion, that to ascribe the distress to the Corn-laws, was wilfully to blind one's self to the state of the country, and to all the proceedings that had taken place within the last twelve months. He had already said, that he thought some alteration in the Corn-laws ought to take place, but he would repeat now what he had said before, that, if there existed no other objection to the adoption of a permanent system than the present distress, still that of itself would render this an unfit time for such a proceeding. But then the reasoning of the noble marquis was far more cogent than that of the noble earl. The noble marquis argued thus; "Here is the distress, from whatever cause it has proceeded, and now it remains for your lordships to deal with it in the best way you can." If it had not proceeded from want of demand, what else could it have proceeded from? No man in his senses could deny that the great cause was overtrading. How else, if there had not been a glut, could it have happened, that whereas there was a brisk demand last year, there was only a small demand, or none at all, this year? These facts were not to be controverted, and the natural inference was, that certain branches of our commerce were over-done. The circumstances of the country were greatly altered since the passing of the Corn-bill in 1815. Let their lordships look at the property-tax, and the other taxes which existed at that time, and no man could say that 80*s.* which was the maximum price then, would be better for the grower than 60*s.* which was the maximum now. What, then, was the amount of the general proposition which he had submitted to their lordships' consideration? Why, that parliament ought not to separate at the present moment without throwing bonded corn into the market; and that the king in council should have a discretionary power to admit further supplies at a certain duty. He could not conceive any proposition less likely to create alarm. He did not call for such power on any general principle; but, until a permanent system could be adopted, he thought that a specific measure was rendered necessary by the peculiar circumstances of the case.

The Earl of *Malmesbury* wished to know at what duty it was proposed to introduce foreign corn now in bond?

The Earl of *Liverpool.*—At 12*s.* per quarter.

The Earl of *Malmesbury* said, he perfectly accorded with the first part of the proposed measure; but as to the second, namely, the allowing ministers to introduce corn hereafter, if they thought it expedient, at the same rate of duty, he could not at present give his unqualified assent to this proposition, not having considered sufficiently the subject. He thought there might be many objections urged to it, and perhaps it would have a pernicious effect in the corn-market. It would be rather hard, he was inclined to think, on the agriculturists. He presumed that the measure would only be of a temporary nature, and that it would extend no longer than the meeting of the next parliament.

Lord *Dacre* said, he was inclined to think, that a reduction of taxation would afford great relief to the country, and would be desirable to be resorted to. The occasion of the present distress, as viewed by ministers, he thought was so manifest, that he who ran might read; it being neither more nor less, in their estimation, than the high price of provisions. This was the view held out to the country by the proposed measure; and to no other conclusion could the people come. Now, it was true, that the poor manufacturers might, and God forbid that they might not, have recourse to the poor-laws for relief. So that ultimately they would return, in time of distress, to the resource afforded by the land. Thus the noble lord held out to the country, that the distress arose from the price of provisions; and next that the land was to bear the burthen of the relief. He was, in general, ready to support the measures proposed by the noble lord; but he could not approve of this mode of relief, because he contended that the distress was not caused by the present price of corn, but was the result of other measures brought forward by the noble lord. The non-application of former means, owing to the suspicion under which credit laboured at present, prevented labour from being brought into action. He was well-informed that the masters, possessing the same means as before, only suspended their orders for want of temporary credit to enable them to apply those means. He would not now enter into the merits of the measures which had been brought forward this session. He concurred in the wisdom of them in theory; but he was not prepared to admit the prudence of enacting them at the present period, because their effect was, to produce a suspense of that credit upon which alone machinery existed; and until that credit was restored, the distress could not be reduced. If the noble lord's measure was said to be advisable as a precaution against a possible contingency, and not one of immediate relief, it would be proclaiming, that the land was the cause of the distress, and that the land must bear it.

Lord *Calthorpe* said, that there could be but one common feeling as to the distresses which unhappily prevailed in some of the manufacturing districts. All who heard of them must feel sorrow. The proposed measure he conceived likely to be attended with beneficial results. He was not prepared to say that any alteration in the Corn-laws would have the effect of preventing a repetition of distress. He thought much of the suffering might be deduced from a cessation of demand for the articles manufactured, and from over-trading. These, however, were questions requiring the serious consideration of the House. The report of Mr. Jacob, which had been alluded to, contained facts of deep importance, and worthy of mature consideration, with respect to foreign corn. There was an authority given him before he commenced his inquiries, which rendered the report of more value. He hoped that parliament would not separate without every member having had an opportunity of weighing the facts and opinions contained in that report. It was also a subject well worth inquiry, whether the crisis had not assumed a character which it would not have assumed had it not been for the steps taken by his majesty's government.

Earl *Grey* said, he was in general desirous to leave the discussion of matters of this kind to those who were best calculated to discuss them, yet he felt it impossible not to make a few observations on the present occasion. He would not arrogate to himself any feelings occasioned by the present distress, different from those which were experienced by others. It was impossible to reflect upon it without its making the heart sick. It was dreadful to contemplate a population dying with hunger. In such a case, undoubtedly, the first duty was to give them succour. They had been called a deluded people. It was too true that their feelings and efforts were directed to the destruction of property, by which they themselves would ultimately suffer. The delusion must be corrected by reason; the violence must be suppressed by the rigour of the law; but at the same time, another and a more imperious duty was, to bring relief to that distress which was the foundation of those excesses. He would not distress himself by describing the sufferings of those individuals. It was sufficient to say, that they rendered the present superior to all common cases, and called imperiously for relief. With that view he thanked his noble friend for the enlightened speech in which he had brought forward his proposition, and he thanked him still more for the wisdom of that proposition;—namely, that their lordships should come forward with an address to the throne, praying for the application of a sum of money, or some other mode of relief, to the suffering part of the population. But, having performed that duty, which he admitted was not without its difficulties, from the danger of its being made a precedent hereafter, their lordships had another duty to perform; namely, to inquire into the state of the country, with a view to ascertain the causes of this distress, in order to obviate them in future; and he insisted that it would be a dereliction of the duty of this and the other house of parliament, if they did not continue the session until they prosecuted such inquiry. He could not, therefore, talk of parliament being about to separate. In every point of view it was their duty to remain sitting until this object was effected. Here was a dense population driven, not by sedition or disaffection towards the government, but by absolute distress, into acts of violence against authority, and that property from which they derived their subsistence. Such was the state of the country at present, and such was the state which the law contemplated, when it enabled ministers, at a short notice, to convene parliament to inquire into the cause of its distress. Were their lordships, then, to be told, that parliament was about to separate without proceeding to make any such inquiry? He repeated, that it was a duty imperative on ministers to take care that parliament should not separate without instituting an inquiry into those causes, and adopting some permanent measures against their recurrence. If that was his opinion generally, it was greatly increased by what he had heard from the noble lord opposite. They had heard a great deal respecting the erroneous impressions which prevailed as to the Corn-laws being the cause of the present distress. He had not yet said any thing on that subject; but his noble friend near him (lord Lauderdale) must excuse him if he said, that it ought to be approached with calmness and caution, and consideration as to the state of the country; and not with an attempt to force by declamation the adoption of any particular opinion. When his noble friend deprecated such a mode of proceeding, he would ask him if he was wholly free from such conduct himself? He did not say that the Corn-laws did not want revision; but, looking at the average price of corn for the last two or three years, he could not bring himself to believe that it had any thing to do with the present distress. He did not say, he repeated, that they did not require revision; but the subject was one which ought to be approached with the greatest care and caution. The worst evil attending it would be to keep it in a state of fluctuation. However, with respect to the present clamour about the Corn-laws, he must say, that there never was a more imprudent measure resorted to than the notice which the noble earl had given last session that would be reviewed in this. A great part of the evil which now existed arose from the non-fulfilment of that pledge. Now he did not say that there were not weighty reasons for not bringing forward that subject now—he thought there were; and one of them was the present state of the currency; for, while that was unsettled, it was impossible to say what ought to be the amount of the duty. But all that only aggravated the imprudence of such a premature notice. Had the noble lord consulted what was due to his own character he would have abstained from saying any thing on the subject, until the proper period arrived for bringing it forward. He therefore could not say that the noble lord stood guiltless of the cause of the present clamour about the state of the Corn-laws being unaltered. But, if that was the consequence of the measure of last session, what must be the consequence of this? He perfectly agreed with his noble friends, that it could only have the effect of aggravating the evil. What said the noble lord opposite? That the present state of the Corn-laws had nothing to do with the present distress. But then he proposed a measure of relief. And, how did he propose to relieve it? By lowering the price of corn; by throwing the bonded corn upon the market, and admitting the importation of foreign corn. Did it not follow, then, that the noble lord considered the price of corn as the cause of the distress. ["No," from lord Liverpool.] The noble lord might disclaim it; but why reduce the price of corn, but because he considered that the manufacturers were suffering from high prices? If such was not his belief, this measure was certainly calculated to create the delusion. And what would be the effect amongst the agricultural interests, when they saw government lowering the price of corn, not to the manufacturers alone, but to the country generally? What, but to produce a state of the greatest alarm? He could not but view this measure as the cause of great apprehension, in common with many other measures of the noble earl this session. With respect to the second measure proposed by the noble earl, that could not be introduced without inquiry; and if the House granted to ministers the power they asked, he hoped they would accompany it with a provision by which they would be bound to call parliament together immediately. The noble earl said, that this measure was not intended as one of relief, but as the means of enabling government to prevent the first article of provision from reaching a famine price. But what cause was there to apprehend any probability of that? Why fear it this year, any more than last year? Upon the principles of the noble earl, this ought to be a general measure, not a temporary one. He certainly did not see the bearing of it, except that it tended to increase the alarm which the only sound part of the population, the agricultural classes, now felt; and thus to destroy the only market which was now open to the manufacturers. And here he left this matter,—certainly to be discussed hereafter, but with caution and temper; and he would conclude with what he had stated at the outset, that he hoped they would not separate until they had probed the evil to the bottom, and ascertained its real causes. He was one of those who were friends to a metallic circulation, and he was always strongly favourable to every measure which had that for its object; but, after all that had happened, he must repeat the doubts which he expressed a year ago, as to whether this country could go through the distress attending such an alteration. Faith must be kept with the public creditor; but it was a sound maxim of law, that "nemo tenetur ad impossibilia." If they were once placed in a situation in which they could not keep the country in a state of decent prosperity, they could not be held to do that which was impossible; and therefore it would be their duty not to throw the whole state into utter confusion. When, in the eleventh year of peace, he found the country in a state of deep distress, occasioned by the pressure and expense of a war which he had ever condemned, he felt that nothing effectual could be done for the people, unless government took the matter seriously in hand,—unless ministers evinced a thorough determination to probe to the bottom, promptly and decidedly, the cause which had produced so much evil; and, having done so, applied themselves with equal promptitude to the adoption of those general reforms which were absolutely necessary to restore the country to a healthful and prosperous state. If this were not done, those distresses would come on, from time to time, in an aggravated form, and would ultimately produce such a convulsion, as he hoped the country might recover from hereafter, but which the present generation could not pass through without experiencing a degree of suffering which he was not prepared to describe or to express. This he wished to impress on the minds of his majesty's ministers. It is necessary that they should show to the country, not only by their expressions, but by their acts, that they were desirous of relieving the people from all unnecessary burthens of every description. They ought to evince a sincere and energetic resolution to carry the most rigid system of retrenchment into effect; and, if they did not, they would create a degree of discontent and dissatisfaction, which could not be contemplated without alarm. Whenever these subjects were brought forward, they must, of necessity, be fully discussed; and he hoped that, in the present season of famine and distress, ministers would not desert their posts, but that they would at once proceed to an inquiry into the cause of all those evils and calamities. He trusted that parliament would not separate, until they had satisfied themselves and the public at large of the reason of those manifold misfortunes. He trusted they would not leave the country almost in a state of absolute and complete ruin, without having the immediate means in their power (for such would be the case if parliament were now to separate) of attaining the great objects of tranquillity and prosperity.

Earl *Bathurst* said, that, as to the distress of the manufacturing districts, and the necessity of alleviating that distress, there was, he believed, but one feeling throughout the country. Every where an ardent and anxious wish prevailed to give the suffering manufacturers whatever support could be given to them. If he had any doubt of the wisdom of the proposition made by the noble marquis, it was founded on his belief, that if it were acceded to, it would open the door for applications of this kind from time to time; and they would press so frequently on the country, that in the end it would be found to be a great national evil. Therefore, and therefore alone, it was, that he was averse from any measure of that nature. With respect to the question of the currency to which the noble earl who spoke last, had adverted, he could not help expressing his regret that the noble earl, entertaining the sentiments which he had that evening uttered on the subject, had not taken opportunities which had previously occurred, for delivering his opinion, and fully discussing that question. The noble earl had, up to the present time, refrained from doing so; and he thought that the noble earl had abstained from declaring his view of the subject, at a time, when, in his opinion, the noble earl was called on to state what his impression was. He had not, however, thought fit to declare that he entertained the doubts which he now avowed. He had reserved the exposition of his sentiments until a measure, avowedly for the relief of the country, was brought forward. As to the proposition of his noble friend, he must do his noble friend the justice to say, that he did not attribute the distress of the manufacturing districts to the operation of the Corn-laws. His noble friend never stated that to be the cause; but, on the contrary, he had always maintained, that that distress was mainly attributable to over-trading, to the immense extent to which speculation had been carried. In consequence of that, the market became over-stocked, while the demand was sensibly diminished. Such was the argument of his noble friend. The measure now proposed by his noble friend was intended as well for present relief, as, if circumstances called for it, to ward off future distress. What his noble friend proposed was this—that in the event of a rise in the price of corn, a power should be granted to check the increase of price by admitting a greater supply. It was quite clear, if the price of corn should rise, that that circumstance must produce such an aggravation of the existing evil, as made it necessary for the legislature to adopt those measures that would prevent the increase of price, and thus also prevent the distress which prevailed from being extended and aggravated. Under these circumstances it was, that his noble friend had proposed the two measures which had occasioned the present discussion. He conceived it to be possible, that corn might rise after the close of the session, to what was stated to be famine price, and he was anxious to provide for such an exigency. What did the noble earl opposite consider to be a famine price, taking into account the state in which a large portion of the manufacturing population was placed? Undoubtedly 80*s*. was a famine price, situated as the manufacturers now were: and yet, unless the price of corn rose to 80*s*. per quarter, it was not in the power of the government as the law now stood, to let the corn at present in bond go into the market. Of the large quantity of corn now locked up in the different warehouses, not a single quarter could come out.—It must perish in those warehouses, unless the price of wheat rose to 80*s*. He repeated it, that not one particle of that bonded corn could come out of the warehouses for consumption in England, under the existing law, until British wheat had arrived at the price of 80*s*. a quarter. What was bonded previous to the passing of the act, might, by the measure of last year, be taken out when wheat had advanced to 70*s*. per quarter; but, all that was bonded subsequently to the passing of the act, could only be taken out of bond when wheat had reached 80*s*. the quarter. Was that a situation in which any person who felt really, truly, and sincerely for the suffering poor, could wish to remain for one moment longer? He thought there could be but one opinion on that subject. With respect to the precautionary measure of his noble friend, by which it was proposed that the Crown should be allowed to open the ports for the purpose of admitting a further supply of foreign corn, at a certain rate of duty; namely, 12*s*. per quarter, it was a power, which, under the peculiar circumstances of the case, he thought every person must wish the government to possess.

The Earl of *Rosslyn* said, it had been stated, that the noble earl did not attribute the existing distress to the operation of the Corn-laws, or to the present price of corn; but let their lordships look a little to what must be the effect of the conduct of ministers on the country; let them look to the opinions which that conduct must necessarily inculcate on the mind of every man who was suffering distress at that moment. The noble marquis had stated that this was a case of such excessive misery as called for immediate notice, and he proposed a measure for the relief of those who were suffering. But, what was the answer of the noble earl opposite? He said, "We cannot agree to that proposition, because it would form a dangerous precedent;" and he added, "but we have to propose a different measure, namely, the admission of bonded corn into the market." Here they rejected one measure of relief, and they proposed another, which was intimately connected with the corn question. The measure now proposed did not go to guard against any future contingency. It could not be said, that the admission of bonded corn at present was a measure of precaution against any distress that hereafter might arise. Now, in opposition to what had fallen from noble lords opposite, he must contend, that ministers, by their acts, must lead the whole country to believe, that the high price of corn was operating most injuriously to the country. They, by their conduct, encouraged the clamour about the Corn-laws: they, by their acts, would induce the people to believe, that the price of corn so far from having nothing to do with the distress of the country, was the primary cause of it. They, by the course they had adopted, encouraged the clamour which existed amongst the suffering manufacturers, against the Corn-laws, and against the agricultural interest, who were in favour of those laws. They did all that men could do by their acts to encourage the belief, that those laws were pernicious. As to the second part of this measure; namely, the power to be given to the king in Council to open the ports, he must say, it was impossible that it could be more necessary in the present session than in any other, except it were maintained that the price of corn was now operating injuriously; or, if not causing, at least greatly aggravating, the evil. When the noble earl who spoke last talked of a famine price of 80*s*., let him recollect, that if there was no work, and no wages even for those who had work, any price might be called a famine price. For himself, he was of opinion, that much of the present evil was owing to the operation of those measures by which government had effected a great alteration in the currency of the country. They had been the means of encouraging the employment of manufacturing labour. But, if there was no demand for manufactures, and if the want of that demand was the cause of all this distress, why then, as the poor could have no means of purchasing corn, 40*s*. a quarter must be a starving price as well as 80*s*. In such a state of things, it mattered not what the price was. His own persuasion was, that it was the duty of the noble earl opposite, and the duty of the House, to inquire seriously and deeply into this question; and if necessary, to afford some relief to persons suffering both from want of employment, and want of means to purchase food. They would do a great deal more good, and give more relief to the people, by looking the evil in the face, and seeking a permanent remedy, than by reducing the price of corn, for the present, by letting the bonded corn come into the market.

The Earl of *Liverpool* wished to say a few words in explanation. It was not his intention to discuss the general question on this occasion. He must, in the first place, disclaim that he had ever asserted that the price of corn, or the state of the Corn-laws, had caused the present calamity. Not only did he think that they had not created the existing distress, but he believed that they had nothing to do with it. He had not stated, neither had he meant to state, that the measure proposed by him was intended as a measure of relief that ought to supersede that species of assistance to which the noble marquis had alluded. He had stated the objections he felt to the measure of the noble marquis—not as one which under no circumstances should be resorted to, but as one fraught with so much public inconvenience, that nothing but absolute and overbearing necessity could justify its adoption; and he came, in consequence, to this conclusion, that voluntary contribution and voluntary assistance were better than the measure which the noble marquis recommended. As to the question of the Corn-laws, he had stated before and he would state it again, that that question was not the cause of those distresses. They had, however, seen, that the price of corn had been rising for some weeks past; and, without doubt, if it continued to rise, that circumstance would act as a very great aggravation of the present evil. When noble lords argued this question, they ought to take this fact into consideration—that though there were individuals who had no employment at present, there were others who had some work for which they received a small price. Now, no person could say that the amount of wages paid for their bread was not to them a most material consideration. He would, therefore, contend, that the two measures — the one admitting bonded corn into the market, and the other giving the king in Council the power to open the ports, and to let in further supplies — precautionary measures, with a view to preventing any thing like a famine price, which at any time it was dreadful to contemplate, but the effects of which would be terrible now—were the best that could be devised under all the circumstances. He thought it was the duty of ministers to propose, and of parliament to adopt, measures that would prevent the price of corn from rising to that amount which would aggravate the present distress in a tenfold degree.

The Earl of *Limerick* observed, that the present average price of wheat was 61*s.* Now, if the famine price of wheat was not below 80*s.* with the promise of good harvest before them, what likelihood was there of the necessity of putting any such power as that desired into the hands of ministers?

Lord *Ellenborough* said, he did not rise to prolong the discussion which had taken place upon this important subject. He merely wished to remark upon the inconsistent course pursued by his majesty's ministers. At the commencement of the session they had given it as their opinion, that that was not the time for altering the Corn-laws, or for entering into consideration upon the subject. Now, however, they were of opinion that the present was a fit moment for altering the Corn-laws, without consideration. Now, it appeared to him that his majesty's ministers were endeavouring to obtain that surreptitiously which they could not otherwise hope for, by taking advantage of the feelings awakened by the distress of the country, to achieve that alteration in the Corn-laws, in which, otherwise, the House would not be induced to concur. They pretended to talk of this as a temporary measure; but he cautioned all those who were hostile to any change in those laws to be on their guard against this insidious attempt to bring about a permanent change without inquiry, and under the cover of the prevailing distress.

The Earl of *Darnley* dwelt upon the increasing distress of the country, with which he did not believe his majesty's ministers were adequately acquainted. He implored the noble earl over and over again, before he brought his measures to maturity, to look at the extraordinary circumstances in which the country was placed. The state of destitution in which the manufacturing districts were plunged was clearly proved. He feared the noble earl was not aware of the mischief which must arise from the want of immediate assistance; and therefore he conceived it to be his duty, and the duty of the House, to call on the noble earl to adopt some more efficient measure than that to which he had adverted. It was absurd to talk of the danger of creating a precedent, when individuals were actually expiring from want. The noble earl and his majesty's ministers would not satisfy the public, the country, or the starving manufacturers, if they did not take measures of a different nature from those that were proposed.

Here the discussion terminated.

HOUSE OF COMMONS.

Monday, May 1.

Distress in the Manufacturing Districts.—Corn Laws.] Mr. Secretary *Canning* rose to give notice of a motion for to-morrow, with regard to the distresses which now pressed down the working and manufacturing population of the country. He was sure, he said, that a measure of relief at the present crisis would come home to the feelings of every member of the House; and, whatever might be the inexpediency of interfering to disturb a measure which government had refrained from altering, there were moments when general expediency should give way to cases of particular emergency. Under the existing distresses, it was the intention of government to propose to the House a measure the least pregnant with evil, and the most calculated to do good. In the neighbourhood of those districts where the distresses most generally prevailed, there was a large quantity of corn in bond, which, by the existing law, could not now come into consumption. On a late occasion, when the corn question was debated in the House, government had decided, that no alteration should this year be made in the Corn-laws; and the determination was made in the firm persuasion that the present was not the time to bring the measure forward; and their opinion on that point was still the same. It did appear, however, that, under the present painful circumstances, a measure might be resorted to, without in any degree prejudicing the general question. It was therefore the intention of government to propose a bill to enable the quantity of corn accumulated to come into consumption. It appeared that the quantity of bonded corn in the whole kingdom—including Hull, Liverpool, and other sea-ports—amounted to 250,000, or 300,000 quarters; and the letting out of that quantity into the market could have no material effect on the agricultural interest, and would do away with that actual state of distress and suffering in the very neighbourhood where a principal part of that corn was bonded. The mere fact of the co-existence of great and urgent distress, with ample means of affording relief, was in itself the strongest argument in favour of the measure which government proposed to introduce; and he was quite sure that every gentleman present must feel the necessity of interfering to alleviate the present season of calamity. As it was impossible to ascertain the state of the future harvest, and to calculate how far it might be productive or otherwise, it was also the intention of his majesty's government to apply to parliament for a bill, empowering them, during the recess, to give general or partial importation to foreign corn, according to the circumstances of the country. Those were the measures which government had to submit to the consideration of the House, believing that, under the present pressure of severe distress, there could be but one opinion as to the necessity of affording relief. Circumstances might arise in which it would be necessary to continue the act when the bonded corn should have been consumed. Last year the importers of corn had a claim on his majesty's ministers because they imported under the conviction that the Corn-laws would have been repealed; but the case was different with respect to the holders of corn at the present time, who introduced it, not in ignorance, but to take its chance of high or low prices. He supposed it was hardly necessary to say that, in proposing the present measure, there was no intention on the part of government to benefit those persons who might be the holders of bonded corn. Under the exercise of that power which it was proposed that parliament should place at the discretion of government, it was intended to fix the duty on foreign corn at 12*s.* the quarter. Those were the suggestions which his majesty's government had thought proper to offer. With respect to the act of the 3rd of George 4th cap. 60, there was no intention whatever of disturbing or interfering with that act, further than might be necessary to carry into effect the measure which he had now proposed. The right hon. gentleman concluded by moving that the House should to-morrow resolve itself into a committee on that act.

Mr. *Tierney* rose only for the purpose of saying that he felt the most perfect satisfaction at what he had heard from the right hon. gentleman. He entirely concurred in all that he had stated. He trusted that the proposition would meet with the unanimous concurrence of the House; for this was an occasion on which it was peculiarly desirable that no discussion that could possibly savour of disagreement might occur.

Mr. *Philips* said, that he also felt great gratification at hearing that it was the intention of government to propose a measure likely to be productive of such important benefit to the country. He was not disposed to enter at present into any discussion; but he could not avoid stating what he had recently heard from a very intelligent gentleman connected with the manufacturing districts. It was his own opinion, that the stock of cotton in the possession of the manufacturers was not very great, owing to the very high prices to which it had been artificially raised last year. In this opinion, he was fully borne out by the statement of the gentleman to whom he alluded. That gentleman stated further, that his House was ready to go on with business, if there was any prospect of obtaining returns; but at present the state of the exchanges was not favourable, and remittances could not be made without a certain loss. He added, that, if an importation of foreign corn was allowed, it would afford an opportunity of obtaining a vent for their produce, and the advantage which the manufacturers desired by this measure was not so much the lowering of the price of corn here, as the obtaining a mode of disposing of their goods elsewhere. Though he would not offer any objection to the temporary measure now proposed, which he felt would be productive of much good, yet he thought the most effectual way to prevent a recurrence of the calamities under which the manufacturing districts were now suffering, would be to allow as a permanent measure the importation of corn under certain fixed duties.

Mr. *Canning* rose for the purpose of

explanation, lest the speech of the hon. gentleman should lead the House into any mistake, with regard to the proposition he intended to submit to it to-morrow. It was not the intention of government to enter into a revision of the general question of the Corn-laws, and for this reason—that the circumstances which justified government in this partial step would unfit the country for a temperate discussion of that measure. He would give no opinion as to the point to which the hon. gentleman had adverted; nor did he wish to be implicated by what he had said. He wished it to be distinctly understood, that the present was intended only as a temporary measure, and to meet a partial exigency.

Mr. *Philips* said, he so understood it, but he had taken the opportunity of stating the opinion of a very intelligent manufacturer, that the importation of corn would be a most important advantage; not so much, as it would lower the price of corn, but as it would afford the means of a vent for a large proportion of manufactured goods.

Mr. *Ellice* rose for the purpose of asking the right hon. gentleman, whether the present was the only measure which government had to propose to the House? He was aware of the steps which had been taken to repress any violent proceedings in the manufacturing districts, and he concurred in their propriety; for, whatever was the cause of the distress there, any attempts upon the security of property ought not to be suffered to exist for one hour. He was satisfied that the power to put an end to violent proceedings was in good hands, and that it would be used with firmness and moderation. But, at the same time, that violent proceedings should be repressed, some immediate relief should be given to the great sufferings which pressed on the unfortunate manufacturers of those districts. Aware of the great extent and severity of the distress, he had come down to the House that day, to ask whether it was not the intention of government to grant some direct and immediate relief; and, if he should be answered in the negative, to give notice of a motion for the grant of a specific sum for that object, and introduce the subject on the discussion of the motion of his hon. friend (Mr. Hume) on the state of the nation, on Thursday. The mere act of making corn more plentiful and cheap would not relieve the wants of the starving manufacturers. They should be put in possession of the means of buying that corn. As far as information from the distressed districts might be relied upon, the case had now arrived at that urgent crisis which fully justified the immediate interference of parliament by a grant of pecuniary aid. He wished, therefore, to know from the right hon. gentleman, whether government intended to propose any measure of the kind to the House?

Mr. *Canning* said, it was not at present the intention of government to submit any other measure to the House than those of which he had already given notice. He did not, however, think proper to enter at that moment into any discussion of the grounds on which the decision of government rested.

Mr. *Ellice* said, that under these circumstances he would reserve himself until he should hear the propositions of ministers to-morrow, and exercise his own discretion as to whether he should bring forward the subject in a separate motion on Thursday.

Mr. *E. Wodehouse* expressed his full concurrence in the measure proposed by government, and agreed also that the present was not the fit moment for entering into a discussion upon it. At the same time, after what had fallen from the hon. member for Wotton-Bassett, he could not confine himself to a simple acquiescence in the proposition. He was anxious to state—

Mr. *Tierney* begged to put it to the hon. member, whether he was not entering on matter which must lead to the discussion that he himself had already deprecated? Any partial discussion, until the matter came regularly before the House must be injurious.

Mr. *Canning* wished to remind the hon. member, that the question did not stand now for consideration. But nothing would be lost by a delay of the discussion until the matter was brought regularly forward, as the House must be aware that the discussion on the bill which it was intended to introduce, would let in all the topics which it could be possible to urge at present. He also put it to the House, whether it would not be better that, in the outset of measures on this critical occasion, there should not appear to be that difference of opinion amongst members, respecting the relief to be afforded, which, if it did not altogether spoil the effect of, would in a degree paralyse the exertions for, relief, which were likely to be made throughout the country.

Mr. *E. Wodehouse* said, he had no intention of going into any discussion at present, or to offer the slightest opposition to the measure. On the contrary, he congratulated the country on the proposition by which a very considerable relief would be afforded to the distressed districts. At the same time he must say, that the country gentlemen, who really were all disposed to concur in any measure by which relief might be afforded, were not fairly dealt with by some hon. members who differed from them on the general question of the Corn-laws. It was not long since the supporters of those laws were told in that House, that they were devoid of common honour, common honesty, and common sense, and were also said to be devoid even of Christian and humane feeling. This was the language held by the noble member for the county of York.

[Here there was a very general cry of "order," in the midst of which, lord Milton rose, and was about to address the chair, but there seeming to be a very general disposition in the House that the discussion should not be carried further, the noble lord resumed his seat without making any remark.]

Mr. *James* said, that he fully concurred in the observation of the hon. member for Coventry, that some immediate pecuniary relief should be afforded by parliament. It would be absolutely useless to throw a supply of corn into the market, if some means were not afforded to the starving poor to purchase it. He thought that ministers would do well to imitate the excellent example of his majesty, and give up a part of their large salaries to prevent their countrymen from starving. They ought also to review the estimates, in order to ascertain what sums might be saved, to rescue thousands of poor starving manufacturers from destruction. Was this a time to lay out so large a sum as 9,000*l.* in the purchase of two pictures, when the inhabitants of whole districts were dying with hunger—when they were told of one unfortunate woman who had stolen a joint of meat, and who, being pursued by the owner, was discovered in the act of dividing it in an uncooked state among her half-famished children—when they heard of another female who continued for twenty-four hours after giving birth to a child, without being able to obtain food or sustenance of any kind—when they heard of some unfortunate men lying under the feet of the horses belonging to the troops sent to repress their violence, and praying that they might be trampled to death, rather than that they should perish through hunger—when they heard of other wretched men feeding on cats—[here there were evident symptoms of impatience on the part of many hon. members.] He hoped the House would hear him for a short time. It was the last time he should ever address them; for if his constituents were to give him 1000*l.* a-year, he would not consent to sit any longer in that House. He, however, begged now to be heard, and he would not detain the House ten minutes. He did not think he was out of order in any thing he had said, and he begged again to ask, whether, under the dreadful circumstances of want of food which he had stated, some immediate relief should not be afforded by parliament?

Mr. *H. Sumner* rose to order, and wished to have the opinion of the chair as to whether the hon. member was not irregular in thus proceeding, there being no question before the House?

It was intimated to the hon. member that there was a question before the House.

Mr. *James* then resumed. He must say, that any man who did not feel deeply for the frightful distress which now existed in so many parts of the country, did not deserve the name of Englishman. Why, if the unfortunate people now suffering were blacks, the House would never hear the end of it. The table would be loaded with petitions from all parts of the country, as they had recently seen with respect to negro slavery. Why did not the party called the saints come forward on this occasion, and exert themselves in the mitigation of human suffering which existed almost at their own doors? Why did they not get rid of their colonial, or rather anti-colonial office, and send down part of the large sums subscribed to the sufferers at Blackburn? Half the sums which they had expended in printing petitions, would, if sent down and distributed among the distressed districts, do more good in a day, than they with all their printing and parchment would be able to effect during their lives. He would repeat, that the distress was of that dreadful character, that it required immediate and substantial relief; and it was the duty of that House to afford it at any expense. It was not too late for ministers to review the estimates, and try what sums might be reduced, in order to save starving multitudes. If, however, this course was not pursued—if, when the people asked for bread, they gave them bayonets, they would find it would not do. It would therefore be better at first to adopt that course by which the most speedy relief could be afforded.

Mr. *T. Wilson* said, that while he concurred with his majesty's ministers in the propriety of the measure of which they had given notice, he also agreed with the hon. member for Coventry, that that measure alone would not be sufficient. It would be necessary to give the people some means of purchasing the bread thus rendered cheaper. It was not a want of corn but a want of employment, and consequently of the means of purchasing food, which caused the distresses now felt in the manufacturing districts. He had every hope that the meeting to be held in the city to-morrow would be productive of much; but still he could not anticipate that its result would be sufficient to meet the evil to its whole extent. Under these circumstances, he thought that government ought to come forward with some proposition for affording pecuniary aid; and that, if any measure was intended, it ought to be made known at once, intead of going to the city for relief in the first instance. He would suggest that, if pecuniary aid was afforded, it might be advanced to the parishes in the distressed districts in aid of the poor-rates, and the application of it confided to the local authorities, who would have the best means of knowing cases in which relief was most required.

The *Chancellor of the Exchequer* said, that he earnestly hoped that those citizens of London who had the means of contributing to the relief of the distress now existing, would not be checked in their charitable efforts by any thing that had fallen from the hon. gentleman who had just resumed his seat. Government had felt it their duty to step forward in aid of those efforts, and the House must know that their situation was one full of difficulty. But, in submitting any proposition to parliament, the thing which of all others they deprecated was, that what they felt themselves bound to do should have the slightest tendency to damp that generous ardour in the cause of humanity, which had hitherto been, and he hoped would always continue to be, the characteristic of this country, and the ready means of animating all classes of his majesty's subjects to the performance of their public duties.

Mr. Secretary *Peel* hoped he might be allowed to add a word to what had fallen from his right hon. friends. It had been his painful duty to receive reports of the distress which existed, and of the disorders which arose out of it, and to take the most effectual steps in his power to repress those disorders, and to prevent their recurrence. Yet, while he did this, he could not withhold the expression of his deep commiseration at the severity of the distress, or his admiration at the patience and forbearance with which (with some few exceptions) that severity of suffering had hitherto been borne in the manufacturing districts. He had every confidence in the effect of the measures now proposed, and of the exertions which he had no doubt would be made to render them still more effectual; and he hoped that this occasion would be the means of strengthening those bonds which united the higher and the lower classes in this country, by affording additional manifestations of great liberality on the one side, and of a grateful sense of it on the other. He trusted that they who were blessed with superfluous wealth would use their efforts on this occasion in the most effectual manner to mitigate and, if possible, remove the sufferings of their distressed countrymen. Immediate and active measures for this purpose would be considered more necessary here, when it was recollected what had been already done by the charitable efforts of the local authorities and the affluent residents in the districts. In some places, three subscriptions had been already raised; in others most liberal donations had flowed from the bounty of private individuals; and, in all, the most humane exertions had been made by the rich to administer to the wants of their poor neighbours. All these had yet been found insufficient to meet the evil; but he looked forward with a confident hope that the result of the meeting, which was to be held in the city to-morrow, would accomplish that object.

Sir *J. Wrottesley* said, that, if the whole of the country gentlemen knew, as they were now sure to know, of this proposition, it would meet with their full concurrence. They would, also, he had no doubt, contribute their individual exertions to promote the benevolent object which the intended meeting in the city had in view. Much, he knew, might be expected from the result of that meeting; and, recollecting what had been done on a former occasion, he was sure that that expectation would not be disappointed. He remembered that a few years ago great distress existed in the county which he represented. The resident gentry subscribed most liberally towards its alleviation; all their efforts would nevertheless have been ineffectual, but for the aid derived from a committee sitting in London for the purpose of receiving subscriptions. That committee was headed by a most excellent and charitable individual, who had at the time a seat in that House, he alluded to Mr. Wilberforce; and by its humane and active exertions many were saved from starvation. He had another object in mentioning this circumstance. Previously to that time, he had frequently been called out to repress disturbances; but, since this relief had been afforded, and the sympathy and kindness of the rich manifested, a degree of corresponding respect and affection had been shewn towards them by the poor. In their feelings and conduct they had been, from that time to the present, the most exemplary part of the labouring population in England. He would conclude by expressing a hope, that some course would, on the present occasion, be adopted towards the distressed classes in Lancashire, and that it would be attended with similar salutary results.

Mr. *J. Smith* said, he did not rise for the purpose of prolonging this discussion, but merely to make a remark, which might be important to be known; namely, that there existed in the city a very general sentiment, that on such occasions as that of the meeting to be held to-morrow, the inhabitants of London were not efficiently assisted by persons of rank and fashion at the west end of the town. He did not make this remark without foundation; for he himself had witnessed it in several instances. He hoped, however, that those to whom he alluded, who could spare time, would attend at the meeting to-morrow, and that they who might not be able to attend would send liberal subscriptions. He hoped this hint would not be lost at the present alarming crisis, when every possible exertion should be made by all classes to alleviate the sufferings of the starving manufacturers.

Mr. *Curteis* expressed his concurrence in the measure, and added, that he did not believe there was one among the country gentlemen who was not ready to do every thing in his power to relieve the distresses of the manufacturing classes. The measure now stated to the House would, he had no doubt, give much relief. At the same time, he should hope that the right hon. gentleman would, in carrying it into effect, keep within the limits he had prescribed. He admitted and lamented the existence of the distresses in the north; but he could assure the House, that there also existed a considerable degree of distress among the agricultural classes in the south. Government, he was glad to say, had behaved with great kindness in answer to several applications made to them on the subject, and he trusted that some applications now before them, would meet with similar attention.

Mr. *Canning* assured the hon. member, that he should consider himself as acting most unworthily, if, under cover of a temporary measure, he should either now, or at any future time, insidiously carry it further, so as to affect the greater question; with which he would admit it was in some degree allied. While he expressed this on his own part, he would hope that the hon. member would not complicate this question, by mixing it up with measures with which it was not necessarily connected.

The motion was agreed to.

HOUSE OF LORDS.

Tuesday, May 2.

CORN LAWS.] The Earl of *Malmesbury* moved for returns of the average prices of wheat for the years 1823, 1824, and 1825, and for the first four months of the year 1826. The noble earl afterwards repeated the remark which he had before made, on the extraordinary circumstance of Mr. Jacob's report not yet being laid on the table. The report had been read by every body. It had appeared in a newspaper ten days ago, and yet not a single copy was yet regularly before their lordships. As the case now stood, it was necessary that their lordships should have this report as soon as possible. It had before been understood, that they would have no occasion to consider the corn question until next session; but, as their lordships' attention was about to be immediately called to it, they ought to have the report before them. He had already intimated his assent to the first of the two measures proposed by the noble lord at the head of his majesty's Treasury. He should have wished, before going into either of these measures, that their necessity had been proved. Agreeing, however, as he did to the first measure—the bringing into consumption the corn now bonded—he did not think that the House ought to agree to the second proposition of the noble lord without inquiry; for he believed it would be found that there was no necessity for granting the required power of authorizing the importation of foreign corn; and certainly the present distress was not at all owing to the price of corn. This second proposition was indeed connected with so many matters of great importance, that before taking any step to carry it into effect, an inquiry seemed absolutely necessary. He therefore gave notice, that he would on Monday move a resolution, which, admitting that it might be proper at the present moment to agree to the release of the bonded corn, at a certain duty—and, when wheat had fallen yesterday, before the minister gave his notice, 10*s.* the load, it would be for their lordships well to consider what that duty should be—would declare against any farther change until after an inquiry. The resolution would be to the following effect:—"That though it may at present be expedient to admit into the market, for home consumption, the corn now bonded, at such duty as may be determined upon, yet it is the opinion of this House that no further alteration should be made in the Corn-laws, without a previous inquiry into the effects which may thereby be produced on the interests of the growers and the consumers of corn."

The Earl of *Limerick* stated, that the price of the best wheat at Cork was not above 43*s.* a quarter. He felt as much as any one of their lordships for the distress of the people; but it was playing a sort of trick quite unworthy of their lordships, a sort of humbug, to say that their distress was caused by the Corn-laws. He cautioned their lordships how they proceeded; for already the price of corn had fallen, and they might bring on the landed interest the same distress as the manufacturing interest now felt.

Lord *Ellenborough* said, he should not enter into the discussion of any part of the main question which was to come under consideration on Monday, but he wished to warn the noble lord opposite that he was very likely to fall into the trap laid by the enemies of the Corn-laws, if he trusted too much to Mr. Jacob's report. That report was a very entertaining book of travels, but not a sufficient authority to enable their lordships to legislate on the Corn-laws. Whatever might be the character of the information it afforded respecting the countries on the borders of the Baltic, something more was wanted to enable their lordships to come to a decision. It was impossible for any one to look into the history of the Corn-laws, without knowing that the countries on the Baltic afforded only a small part of the supply of corn introduced into this country when importation was permitted. He had heard it stated, that the stores collected there would not supply more than ten or twelve days' consumption for this country. But their lordships must know that corn could be equally imported from France, the Netherlands, Portugal, the shores of the Mediterranean, America, the countries on the Black Sea, and other quarters. What reliance, then, was to be placed on a document, the whole information in which was confined to Poland and Pomerania. He wished the noble lord also to consider, that by agreeing to the first of the two measures proposed by ministers, the second was likely to be with more certainty called into operation. This would be obvious, when it was considered that allowing the bonded corn to come into the market would occasion a considerable fall in the price, which would again cause an increased consumption. Now, if there should happen to be an unfavourable harvest, the consequence of the increased consumption would be to render that importation indispensable which might otherwise be avoided.

The Earl of *Malmesbury* suggested the propriety of examining Mr. Jacob before a committee of their lordships. It had been said, that much of the corn in bond was old and musty, and unfit to make bread; but he found, from returns which had been laid on their lordships' table, that 275,000 quarters of the wheat in bond had been imported in 1825.

Lord *Teynham* observed, that the depression of the agricultural interest would take away the only means that remained of giving employment to the labouring poor. The consequence would be, that two millions of the most laborious class of the population would be thrown out of employment. He agreed with a noble lord, that the adopting of the first measure proposed by ministers would tend to bring on the other.

The Earl of *Carnarvon* said, he did not see why, in the resolution by which it was proposed that a committee should be appointed, their lordships should be called upon to approve of one part of the measure suggested by ministers. He did not know whether, after inquiry, he might not object to the second measure, if it were proposed to be a permanent power; but as temporary measures, he saw no reason for preferring the one to the other. It appeared to him, that if there was to be an inquiry, it ought not to be a partial one, but that the subject ought to be completely investigated, and every information obtained.

HOUSE OF COMMONS.

Tuesday, May 2.

Freeholders in Districts Bill.] Mr. *Sykes* moved the second reading of this bill, being part of the general measure for extending the Right of Election for Counties to Freeholders of Towns which had been separated from those counties.

Mr. *F. Lewis* opposed the second reading, on the ground that it was one of most extensive importance; and that it was impossible that the parties interested in it could have proper notice of it. The magnitude of the change which it would introduce, and the great interests concerned in it, rendered it necessary that such should not be allowed in the same session in which it had been introduced at so late a period. He desired the House to reflect how much the interests of the distant county of Northumberland might be affected by it, and consider how impossible it was that the parties concerned could have such notice of its nature, as to be at this time prepared to oppose it. For his own part, he thought it would be a much better measure to give such freeholders the right of voting for the corporate bodies among whom they were stationed, than to give them the right to vote for the counties. But, at all events, he was satisfied that the measure ought to be postponed till another session, and moved, as an amendment, "that the bill be read a second time this day six months."

Mr. *Sykes* recapitulated the reasons which he had stated in favour of the measure on a former night; namely, that the Crown, although it had the right to separate counties, had no right whatever to deprive the freeholders of the elective franchise; and that this was merely a declaratory law, restoring to certain freeholders a right which had long remained dormant, but had never been forfeited. He proposed, however, that the bill should, at any rate, be now read a second time and committed; and then, if it were thought necessary, it might remain over for further consideration.

Mr. *Jones* hoped the hon. member for Hull would persevere in his measure, which was as just as it was important.

Mr. *Stuart Wortley* suggested that the measure ought to be postponed till another session.

Mr. *Calcraft* said, that there could be no harm in allowing the bill to be read a second time, and committed, since gentlemen who thought it objectionable would not, by such a step, be in any way pledged not to oppose its subsequent progress.

Mr. *R. Smith* said, there could hardly be any objection to the second reading and committal of the bill, on a distinct pledge, that it should not go any further this session.

Mr. Sykes however consented to withdraw the bill at present, and it was withdrawn accordingly.

Petition of J. Cannell, respecting refusal of Gold Coin in exchange for Notes.] Lord Folkestone presented a petition from James Cannell, of Teasburgh, in Norfolk; setting forth:—

"That the Petitioner having, in the month of February last, seen several of his poor neighbours suffer greatly from the breaking of banks, strongly advised others who held notes of banks not yet broken, to go to those banks and demand gold; that he found people afraid to do this, but that he having offered to do it for them, there were brought to him by several persons, notes of three Norwich Banks, in order that he might get the gold in exchange for the said notes; that on the 11th of February he went to the Bank of Joseph Gurney, Hudson Gurney, Richard H. Gurney, and Joseph John Gurney, the second two of whom are members of the House; that he then and there demanded payment of notes of the said bank to the amount of 130*l.* that the said bankers, or their clerks, refused to pay him gold; that they tendered him Bank of England notes, that they told him he should have those notes or have nothing, and that therefore he returned the notes to the owners of them, to the great disappointment and grief of the said owners; that on the same 11th of February he went for a similar purpose to the Bank of Thompson, Barclay, and Ives, where he demanded payment of their notes to the amount of 8*l.* that the said bankers or clerks tendered him in payment Bank of England notes, and insisted that these were a legal tender; that they did, however, after much dispute, pay him in gold; that on the 18th of February, having at the very same bank demanded payment of 27*l.*, the bankers or their clerks abused him grossly, and told him that if he persisted in the practice of demanding gold, they would set a mark upon him as a bad fellow; that at last they paid him in gold, but warned him not to do the like again; that on the 11th of February aforesaid he went to the Bank of Harvey and Hudson, that he there demanded payment of their notes to the amount of 3*l.* that the cashier or clerk tendered him Bank of England notes, telling him that they were a legal tender; that the petitioner demanded gold, which he finally got; that the clerk demanded his name, which he wrote down, and told the petitioner not to come again on a like errand, or he should be marked; that, however, the petitioner went again to the same bank, on the 18th of February, and demanded payment of its notes to the amount of 20*l.* that the clerk told him that he should not have gold; that he threatened the humble petitioner, and told him that if he did not go quietly away without the gold, that he would take him before sir Robert Harvey, as a justice of the peace; that the petitioner refused to go away without the gold; that the clerk took him before the said justice of the peace, who is also a partner in the Bank, and that sir Robert finally ordered the said clerk to pay the petitioner in gold; now, seeing that there is ample proof before the public, that in numerous instances Bank-notes have been issued to an immense amount by bankers who knew themselves to be insolvent at the time of the issue; seeing how many thousands of poor and frugal men have their little all snatched from them and their families by such means; seeing the audacious manner in which the law has been and daily is set at defiance, as above stated, by bankers and their clerks, seeing the numerous instances in which the bankers are justices of the peace, or fill other posts of authority and power; seeing that the labourers and small farmers, and tradesmen are overawed by the fear of the power and vengeance of such persons, and from that fear refrain from demanding gold, agreeably to the law, and are thus reduced to beggary; seeing these things, the petitioner, who has himself endured persecution and injury to a great extent, most humbly prays the House to pass a law to compel, by summary process, all bankers to pay in gold on demand; and he further prays that the House will pass a law to exclude all bankers, while they are such, from all posts of public trust and power, and especially from the office of justice of the peace, and from seats in the House, or that the House will be pleased to adopt, for the protection of the poorer part of his majesty's subjects, such other measures as the House shall in its wisdom and justice and mercy deem to be most meet."

Mr. *Hudson Gurney* said, that this was the supplement to the petition of Mr. William Cobbett, giving the details of the transactions on which Mr. Cobbett had animadverted, and proving that the bankers had acted throughout in a manner in which they were perfectly justified.

Ordered to lie on the table.

PETITION OF SHIP-OWNERS OF LONDON FOR A DUTY ON FOREIGN SHIPPING.] Mr. Robertson presented a petition from the Ship-owners in London, setting forth,

"That the Petitioners' most anxious attention was directed to the first application to the House from certain merchants of the city of London, in which they submitted their conviction of the impolicy and injustice of the restrictive system applied to commerce, and expressed their objection to every restrictive regulation of trade, not essential to the revenue, against all duties merely protective from foreign competition, and against the excess of such duties as are partly for the purpose of revenue, and partly for that of protection, and praying for relief; this petition was followed by other petitions to the House from many of the manufacturing districts praying for the repeal of the restrictive laws; that the petitioners soon found that the relaxation of the navigation laws was in contemplation, and a new system, which struck at the very root of the principle on which they were founded, was to be brought forward; the petitioners therefore lost no time in entreating the House to bear in remembrance, that the experience of centuries had shown the advantages of adhering to a system which, by encouraging shipping and navigation, has so greatly contributed to the strength and general prosperity of the empire; and they further submit with due deference their firm conviction, that the ancient system cannot be departed from in any material respect without causing a diminution in British, and an increase of foreign, shipping; that in the latter part of the year 1822, the petitioners again received an intimation that it was in the contemplation of his majesty's government to recommend to the legislature the enactment of a law, adopting the principle, that the vessels of foreign countries should be allowed to import into this country all articles whatever that may be legally imported, on payment of the same duties only as are paid by British vessels importing similar articles, provided that British vessels are allowed to import goods into the ports of the country to which such foreign vessel may belong, on payment of the same duties as are charged on similar importations by vessels of such country; that the petitioners again called the attention of the House to that measure when in progress, and they now solicit their attention to the situation in which that act has placed them, to struggle in a fruitless competition with foreign shipping, under the delusion of reciprocity; the petitioners are sensible of the intimate connection that the shipping bear to the great question of national security; and they are likewise sensible, that while this system continues, of the impossibility of their ever being placed on a footing of real equality or reciprocity with foreigners by any remission of direct taxation, whether on the materials used in the building and equipment of ships, or in the shape of charges incidental to navigation; the foreigner enters this system under the term reciprocity, with an advantage of at least fifty per cent on their capital employed, and sixty per cent on the sailing expenses, and in seamen's wages the proportion is still greater, viz.: British seaman, Baltic voyages, from 70*s.* to 75*s.*, average 72*s.* 6*d.* per month; Dutch seaman, Baltic voyages, from 28*s.* to 75*s.*, average 28*s.* per month; Russian seaman, Baltic voyages, from 24*s.* to 26*s.*, average 25*s.* per month; Swedes and Norwegian seamen, Baltic voyages, from 12*s.* to 20*s.*, average 17*s.* per month; Russian seaman, Baltic voyages, from 15*s.* to 20*s.*, average 15*s.* per month; the petitioners, therefore, submit with confidence to the House, that, as regards navigation, there is now no reciprocity of expenses between British and foreign shipping; that when the restriction or protection was taken away, the security of this great maritime state was removed; that the balance of actual benefits must, under such a system of unrestricted competition, devolve on those countries whose shipping can be built, equipped, and navigated, on the cheapest terms; that, thus exposed to such an unequal contest, the British shipping will be gradually annihilated in the trade with Europe and America, as is manifested by the degree in which foreign shipping have increased over British tonnage since the new system commenced; in it there is nothing to guard or protect the British shipping, neither have the petitioners any means to prevent them from being superseded, the only obstacle now is the actual want of tonnage on the part of foreign countries to carry on the whole; the British have no hidden secrets to carry on navigation, neither have they any machinery nor power of any description, that is not common to the foreigner; the question resolves itself into one of investment of capital, and the expenses of navigation; therefore the idea assumed, that British capital and British industry will surmount all obstacles thus imposed, is altogether visionary; for, whenever the stimulus to employ capital and industry is removed or destroyed, when no returns are to be expected from either, the capitalists already embarked may continue to struggle, the property may change hands and diminish; but without some prospect of gain none will be found that will either employ their capital or industry in so hazardous and precarious a pursuit: that when the House consider the many great advantages and facilities held out to foreign countries to procure an increase of tonnage, and the close connection which subsists between them and the wealth of this, the natural inclination to employ capital and industry to the best advantage, is it not a moral certainty that it will soon find its way to build and navigate foreign ships? there is still another advantage in investing capital in foreign ships, they have not only the great command over the supply of England, but when this market is glutted with goods that the freights fall, they have then an opportunity to change their voyages to other countries, and leave the British market until the freights rise again; before the remission of any duties on their cargoes, or any other remission of their expenses was made, the foreigners had a most decided advantage over the British; that the House must have perceived that those classes who petitioned for the removal of all restrictions on trade have invariably opposed having it applied to themselves; and it must likewise be obvious to the House, that unrestricted reciprocity or unrestricted freedom of trade, if made to bear on one of the great resources of national industry, must eventually ruin it, or the same principle must become general to all the others, for in vain will the agriculturist contend that the expenses of cultivation are raised by taxation and contingent causes, over which he has no control, to double the amount of those incurred by his foreign rival, and is therefore entitled to protection from their competition; this is no more than the petitioners have an equal right to maintain; the manufacturer may urge that he has a large capital embarked under the protective law, and claims protection for native industry; the capital invested in shipping has been invested in the same faith, and claims an equal exemption; should the antiquity of protection be pleaded, the petitioners can adduce the more ancient law; should wealth, vested in land, claim a privilege of exemption as necessary for the general good, the petitioners may contend, that the manner of employing their capital leads to national security, which is of more importance than national opulence; that the ancient navigation system has been sanctioned and supported by the most eminent British statesmen; that it has been cherished as the great bulwark of our independence, and as the means of extending commerce and power in the four quarters of the globe, therefore, if consistency is maintained, the new system of free trade must extend to all classes, when the reuslt will be found equally destructive to the whole; that the petitioners never can conceive that the House would sanction such a measure (otherwise than under the influence of the most erroneous representations) as that of the carrying on the navigation and commerce of this country with an equal indifference whether such navigation and commerce were carried forward by natives or by foreigners; the petitioners submit, that they were singled out as the body on which the dangerous experiment was to be made; that they were literally stripped of all national protection in the direct trades with foreign countries, while other interests have either been fortunate, or have had more attention paid to their representations, and have escaped from the evil of such a reciprocity; that the petitioners anxiously hope the House will see that protection, in degree, is necessary to all native industry, and earnestly cherish a hope that they have a fair claim to be again placed within the pale of British protection; the petitioners submit, that since the peace they have been struggling against ruinous rates of freights and depression of capital in a greater degree than either agricultural or manufacturing interests, and by the new Navigation act, the American intercourse, colonial, and warehousing acts, foreign vessels are permitted to engage in various branches of the carrying trade, which, previous to the passing of those acts, had been confined to British shipping; the petitioners therefore most humbly solicit the House to take into their mature consideration, the great advantages given to foreigners by the alterations made in the Navigation and Colonial laws, and by the remission of duties under the Reciprocity act, and give such protection to British shipping as to the House seems necessary and just."

Ordered to lie on the table.

CORN LAWS.] Mr. Secretary Canning moved the order of the day for the House to resolve itself into a committee on the act of the 3rd Geo. 4th, cap. 60, respecting the Corn-laws.

Sir T. *Lethbridge* said, it gave him great pain to offer any opposition to the measure which he understood was to be submitted to the House by the right hon. the Secretary of State for Foreign Affairs. He knew the full extent of the responsibility which every gentleman must incur who ventured to put himself forward for such a purpose at this moment, when the country was looking to the proposition of the right hon. gentleman as the means of imparting relief to the distresses of a large class of the community, whose sufferings no man deplored more sincerely than he did. But, awful as the responsibility was, and great as might be the blame which he should incur, he was impelled by a sense of duty to follow the course he had marked out for himself; and he hoped the House would allow him to state the reasons why he objected to the mode of relief which was proposed. Notwithstanding the sarcasms and gibes with which he might be assailed, and notwithstanding the more severe denunciations with which the noble member for Yorkshire had thought it his duty to visit that class to which he belonged in common with the noble lord, he should persist in doing that which he felt to be called for by the present circumstances; and, while he refrained from making any answer to the descriptions which the noble lord had thought proper to give of that class, he would assure him that his reproaches were as painful for them to hear, as they were undeserved. Although the noble lord belonged to that class which he had chosen to censure, it was well known that he did so with perfect safety, because his interest in it was so large, that it mattered very little to him what was the price of agricultural produce. In the name of that class of persons the greater part of whom had an interest infinitely less in amount, but much deeper and dearer in its kind, in this object, he now rose to offer the most serious opposition to the measure of the right hon. gentleman, and he hoped to be supported in his opposition by all who were connected with that class for whom he spoke. If he understood the tendency of the right hon. gentleman's scheme, it went exactly to this point—that all the corn in this country now under bond should be let out on paying a duty of 12*s.* per quarter, that was the proposition, he believed, in the first place. To this, if it were to stop here, there might be no objection—he, at least, had no objection to it; but it was to that which followed that he wanted now to call the attention of the House; because it involved the whole subject of the principles of the Corn-laws. But a little fortnight ago, when the hon. member for Bridgenorth had made a proposition, the object of which was, to deal with the whole system of Corn-laws, it had been over-ruled by a large majority of the House. The argument by which it was attempted to support that proposition was, that a scarcity was about to take place. He admitted, that if that fact could be sufficiently proved, it would furnish a forcible reason against the principle upon which the existing system of our Corn-laws rested. But, how had that motion been combatted, and by whom? What was the opinion then expressed by his majesty's government? Did they not say that the proposal was ill-timed—that in the existing circumstances of the country such a question ought not to be disposed of in such a manner? He would ask what had arisen since to justify the alteration which had taken place in the opinion of ministers? He knew of nothing; the distress now complained of existed then, and it was only because it had been of longer duration that it was now greater. There had been no rioting then, and he had heard, he did not pretend to say how truly, that the cause of the riots might be in a great measure attributed to the manner in which that question had been treated in this House. He, however, was much more disposed to attribute those riots to the severe and sore distress which the unhappy people had been exposed to, and which he most heartily commiserated. That distress had led this day to a meeting at which he heard great sums had been subscribed for the relief of those who suffered most under its pressure. The right hon. Secretary had himself made an appeal to that benevolence which had been so often excited on behalf of the people of other countries, and he had no doubt that appeal would be readily answered. But, although the liberality of the persons who might be disposed to subscribe would afford some immediate relief, it would be necessary to look much deeper into the cause of the distress before an adequate cure could be found. The duty of the government was, not only to alleviate the distress, but to remove the cause. Would it not, then, looking at the subject in this point of view, have been much wiser for the right hon. Secretary to have asked the House for a vote in aid of the poor-rates? It was a principle in the laws of the country, that if a parish should be unable to support its own poor, it had a right to call upon the adjoining parish to come into its aid. No doubt this might, in many cases, be severe; but still it was the law, and the principle might in this instance be safely resorted to, for the relief of the existing distresses in the country. If such a vote were proposed he could not doubt that the House would agree to it, for his own part, he would willingly assist to carry it; and he was decidedly of opinion, that it would have been a much more rational and justifiable course than that which was now contemplated. But, would the right hon. gentleman venture to say seriously, that the high price of corn was the cause of this distress? He could not believe that so great a fallacy would prevail in that House. He knew that it had spread elsewhere; he knew that the notion had been promulgated and nurtured by persons of great talent, and that it had been used as a pretext for coming at the landed interest of the country, and destroying them at one blow. Was it wonderful that a large body of the people congregated together should adopt a notion speciously put forward? Petitions had in consequence been prepared, and crowded the table of the House, echoing the opinions which had been carefully disseminated. He, however, knew that the cause of the distress was to be looked for in various other sources than the price of the agricultural produce of the country, and therefore it was that he resisted the present motion. He knew that the ministers avowed no intention of interfering with the Corn-laws; but proposed this measure only as the means of affording some temporary relief. If this representation had been such as he could have given credit to, he might have been content to offer no opposition to this measure, and to have agreed, as he had done before, to the proposition of ministers. It was stated by the right hon. gentleman, that the quantity of corn now in the country under bond consisted of 250,000 or 300,000 quarters. He had reason to suppose that this was underrated, and that there was a much larger quantity than this in the country. If he looked to the account given by Mr. Jacob, he found that it was there estimated that 600,000 quarters formed about one week's consumption in England; and supposing this statement to be correct, it was obvious that the introduction of such a quantity of corn as was proposed could have little effect in alleviating the present distresses. He therefore thought that this was not a fair or manly way of treating the question, and that, under the pretext which was held out, the real object was (for he would speak out) to get rid of the whole system of Corn-laws by a side-wind. A subject of such vital consequence to the country ought not to be disposed of in any such way, and he for one was resolved not to agree to the proposition, without recurrence to a committee, as in the years 1821 and 1822, to look into the causes by which the produce of this country was forced to higher prices than in any other. Until that should be done, he was sure that no one interested in the question, or in the welfare of the nation which it involved, could be satisfied. He was not afraid that, upon such an investigation, it would appear, that the growers of agricultural produce enjoyed any protection to which they were not fairly entitled, nor which was beyond that granted to other classes. He was sure that imposing a duty of 12*s*. a quarter on foreign corn, would have the immediate effect of throwing out of cultivation a vast quantity of land, and that distress, similar to that which had been felt in 1821 and 1822, would again be experienced. This was a state of things which ought by all means to be avoided if possible; and the House need not be told that the distress of the agricultural classes was not less poignant than that of the manufacturers, although, unlike that of the latter, it did not break out into open violence. The manufacturers, from the nature of their occupations, were congregated together in large bodies, and had not only the means of acting in concert, but of putting into practice any measure that they might resolve upon, however absurd and mischievous. The physical force which they were capable of presenting, had always the effect of intimidating; and, in the present reduced state of the military establishments of this country, this consideration had a greater weight than at other times would have belonged to it. He cautioned the House against being led into the adoption of any measure in which this feeling of intimidation might have any share; because it must not only be fallacious in the prospect which it held out, but, as an example to other classes of the community, must be highly dangerous. The House were not called upon to afford protection to one class or to another, but to make laws which should be for the benefit of the whole country. Would it be said, even if this principle should be disputed, that the manufacturers were entitled to the protection which it was now proposed to give them at the expense of other and not less important interests? When the subject of the Corn-laws was agitated, upon the recent occasion to which he had already alluded, Mr. Jacob's report was not so generally in the possession of members as it ought to have been, and as it had since become. Considering the information which it conveyed, could any man shut his eyes to the fact, that the continental growers of corn regulated all their operations by the state of the British market? The change which had taken place in the importation of wool was a sufficient proof of this fact. So long as they could command high prices in the markets of this country, the corn-growers of the continent encouraged their crops. When, in consequence of the cessation of the war, and the circumstances of this country in 1821 and 1822, their importations were checked, the cultivation of corn was given up, and wool was grown to a great extent instead. It appeared by the returns, that in 1821, seven millions of pounds weight of wool were imported; in 1822, eleven or twelve millions; in 1824, eighteen millions; and in 1825, forty-two millions. Who, then, could doubt that the immediate consequence of the proposed measure must be to reduce the importation of wool to the same quantity as before the period he first mentioned, and to increase the importation of corn in a similar proportion? It was, in his opinion, an assertion wholly destitute of proof, that the high price of corn was the cause of the distress; and this was confirmed by the state of Ireland. Corn in that country was about 42*s.* per quarter, and here it was about 60*s.* He stated this to be decidedly his opinion, and he had given the reasons upon which that opinion was founded; but, as there existed so great a difference on the subject between himself and others, it was at least fit that some inquiry should be made into it. The result might turn out other than he expected; but, until he was fully convinced by investigation, which could not be fallacious, he was not to be led into a measure, the danger of which was obvious, and the expediency of which was a matter of considerable doubt. The right hon. gentleman came down to the House in a manner, which, to say the least of it, was quite unusual, and it might fairly be said, he had taken the House by surprise. He could not have supposed, after the fate which the motion of the hon. member for Bridgenorth had experienced, that an attempt like the present would have been made to annihilate the whole system of the Corn-laws. From the moment the ports should be open on the payment of a duty of 12*s.*, who could tell the quantity which might be poured into the country? He had every respect for the authority of his hon. friend, the member for Bridgenorth, but he would not pin his faith upon that gentleman's assertion. The House had heard a great deal respecting the principles of free trade, and had taken some steps in consequence; the result of which did not so clearly appear to be beneficial. For his own part, he was of opinion, that those principles were carrying ministers out of their depth: for it was not from the persons interested in corn alone, but from those concerned in shipping, and from commercial quarters, that he had heard complaints which had not yet been contradicted. He hoped the right hon. the President of the Board of Trade would be prepared to refute these statements. From his talents and acquirements this might be expected; and although he was sure that the right hon. gentleman was only anxious in all his measures to do good to the country, he was nevertheless compelled to look at the effect which those measures had produced abroad and at home. It was yet to be shown that the reciprocity of which so much had been said had extended its advantage to us—whether, while we had given advantages to other countries, those countries had not been very sparing in extending similar advantages to us. Without, however, going further into the principles of free trade than applied to corn, he contended, that it was impossible to put that upon the footing of other articles of produce, until it had been relieved from the burthens which it at present bore to the same extent. Let the House look at the expenses which the country had to pay. Let them look at the amount of the annual revenue. Let them look at the immense establishment, and say whether it was possible to make them cheap. If he had thought it possible, he should not have given the votes he had done: but he was convinced that it was necessary to keep up the sources of the revenue, and to discharge the national debt; which he would, for one, rather sell the coat off his back than not pay. The nation was bound to pay it; and the credit of the nation would be destroyed by the slightest infraction of it. The right hon. gentleman was bound to look to all these things; and, he would do well to consider the danger in which the measure he was now about to propose might place the important interests he had alluded to. He begged it to be remembered also, that the distress of the manufacturing labourers was not to be attributed wholly to the price of corn. They were bred in habits of luxury, and had acquired wants which they found it difficult to divest themselves of. Their clamour was caused as much by the taxes on 15*s.* out of 20*s.* of their earnings, as on the 5*s.* which they spent in bread. He, therefore, wished an inquiry to be made as to the exact degree in which the price of agricultural produce acted upon the labouring classes. If, without this, he agreed to the proposition of the right hon. gentleman, he should be admitting that which he expressly denied; namely, that the high price of corn was the cause of the distress. The subject was, besides, far too important to be disposed of in a hasty manner, and without consulting the great interests of the country. For the relief of the distress, which, he trusted and believed, was only temporary, he had suggested the granting a vote of money; and this, therefore, at least obviated the necessity of resorting to the proposed measure. He repeated, that nothing but a sense of the duty he owed, not only to the landed interests, but to the country, had induced him to incur the responsibility of addressing the House at that moment. He thought that the agricultural interests deserved to be looked to as well as any others in the state; and, in order that no injury might incautiously be done to them, he should conclude by moving, "That a select committee be appointed, to inquire into the causes of the distress in the manufacturing districts, and of the best means of applying a remedy thereto."

Mr. *Benett* complained, that the proposition which was to be made to the House was another instance of the vacillation of ministers, and to that, more than to any other circumstance, he was inclined to attribute the present distress. Fourteen days ago this question had been settled, and the whole subject of the Corn-laws, it was understood, was not to be discussed again during the present session. This decision had been come to by a large majority of the House; and yet so soon after this it was, that the House was called upon to disturb all the contracts which had been made for the purchase of corn and land. It was true the object which was put forward was important enough to justify almost any measure, if it reached the cause of the evil; but even those who advocated it did not pretend that it would do so. If, then, it was not likely to act as a remedy, what could be said to induce the House to adopt it? He was much more disposed to attribute to the change in the system of our currency the greater portion of the distress which prevailed. If the House should agree to this proposition of admitting corn on payment of a 12*s.* duty, they would be giving to ministers a power much greater than any they had ever before possessed. The remedy which had been proposed by his hon. friend for the relief of the distress was one to which he should gladly consent in the present emergency, although as a precedent it was highly objectionable. The distress was not even now confined to the manufacturing classes, although it prevailed most in manufacturing districts. He knew that the agricultural labourers in those neighbourhoods, not content with the allowances made them in their own parishes, resorted to more populous places, where the poor-rates afforded them a larger share of relief. These people were now among those who were engaged in the absurd and violent practice of breaking looms, and must eventually be sent back to the places in which they had settlements. His objection to the proposed measure was chiefly its inutility. If the price of corn was not greatly reduced, it would be of no service in alleviating the distress; and if it should be reduced to a very considerable extent, it would transfer the distress from the manufacturing to the agricultural classes. Whenever the land laboured under any pressure, it was communicated to the manufacturing interests; and when the land revived, its prosperity also reached the manufacturers, by increasing the home consumption of their produce. He was the more strongly opposed to the new measure, because it seemed to carry with it an admission, that the Corn-laws were producing, or tending to aggravate, the existing distress. Once get this opinion fixed in the minds of the manufacturers, and they would proceed to destroy agricultural property in the same way that they were now destroying their own machinery and tools—a course about as rational as that of the Irish rebels, who had burned the bank-notes wherever they found them, in order to injure the bankers by whom they had been issued. Upon the subject, generally, of the Corn-laws, he did not wish at the present moment to speak. His personal opinion had always been in favour of admitting corn conditionally—without regard to home prices—at a protecting duty. As to the amount of that duty, he agreed with the late Mr. Ricardo, that it ought to be just so much as would compensate the land-owner for the share he was compelled to bear of the public burthens, and not one shilling beyond. But he had voted against the motion of the hon. member for Bridgenorth a few evenings since, both because he thought the time chosen an unfavourable one for discussing the question, and also because he thought the duty proposed by that hon. member entirely insufficient. The duty, however, was twelve shillings, at which the right hon. gentlemen opposite desired to let this bonded corn into the market; and they justified the imposition of that particular duty, upon the ground that it was the duty put on when the ports were opened by the existing law. But, this defence appeared to him, to be quite unsatisfactory; because, though 12*s*. was the ultimate duty at which the corn was to come in, supposing the ports to be opened, yet for the first three months, it should be recollected, there was the imposition of an additional 5*s*., making 17*s*. Therefore, if we were to assimilate the new measure in any degree to the existing law, it was at 17*s*. the bonded corn ought to be admitted, and by no means at 12*s*.; and this the rather, because the difference in the home price at which the admission was to take place, was all in favour of the higher duty. If a duty of 17*s*. was necessary when corn, at home, was 80*s*., surely a greater duty rather than a less would be requisite when the importation was at 60*s*. or 65*s*. The least that the House could do in justice to the agriculturists, was to make the importation duty 17*s*. for the first three months, as it stood by the existing law; and, even then, gentlemen need entertain no apprehension. Subject to that duty, the 300,000 quarters that were in bond would be in the market within a week. He was convinced, in spite of all that was said by the right hon. mover of the question, that the quantity of corn in bond would have a very powerful effect upon the market. Mr. Jacob had been sent, it was true, to inquire into the condition, as regarded corn in bond, of foreign countries, though that gentleman's report was, after all, only an ex parte statement; but what pains had been taken to ascertain the quantity of corn now in hand in England? None; and yet the fact was highly material. Decidedly he was in favour of the committee proposed by the hon. member for Somersetshire. Time would be consumed by it, no doubt; but in the interim, measures might be taken for the relief of the distressed, far more efficient than this change in the Corn-laws was likely to produce. Proper persons might be sent down into every district, to inquire what the suffering classes were actually receiving from the poor-rate, and to ascertain what was the best mode of administering further to their necessities. A sum of money voted by parliament might be sent down, in proper proportions, to different parishes, either to be distributed in aid of, and through the same medium as, the poor-rates, or to be laid out in the purchase of corn which afterwards should be sold at a cheap rate to those who stood in need of it. He trusted, that in what he said now he should not be suspected of treating the condition of those who were suffering, carelessly or lightly. No man in the House knew better what the poor had to bear, or commiserated their sufferings more, than he did; but he did believe, that to give them relief in the way which was now proposed, was to do that which would end in their own destruction. He trusted that the right hon. gentleman would not allow parliament to separate, without doing something for the assistance of the manufacturing districts; but he did not think that any thing but mischief could result from such a measure as that now brought forward.

Mr. Secretary *Canning* said, that, in simply making his motion, without prefacing it by any observation, he had been actuated by no want of respect for the opinions of those who differed from him; but he had thought, and he thought so still, that whatever discussion was to arise would have been most conveniently taken in the committee. As some hon. gentlemen, however, were of a different way of thinking, he could have no hesitation in adopting whatever course seemed to them most desirable, and would therefore, at once, trouble the House with the very few words which he had to offer upon the question. And first, he begged to assure the hon. member for Wiltshire, that no man could think more unworthily of government than ministers —and he, for one—would be inclined to think of themselves, if there was any foundation for the charge, that they were now attempting, by a side-wind, to alter the established system of the Corn-laws. Whenever that subject might be brought forward, gentlemen would do him the justice to recollect, that he had hitherto had no discussion upon it. He should come to it unheated by any opposition, and without having any declared opinions either to abandon or support. But, for the present measure, he proposed it only under peculiar circumstances, without the slightest reference to the merits of the general question: and he was only sorry for the course which had been taken by the hon. member for Wiltshire, and the hon. member for Somerset, lest it should lead, out of doors, to the uniting of two considerations, which in truth were—as he had intended to keep them—perfectly distinct. Now the argument of the hon. member for Somerset—that, to touch the Corn-laws for the relief of the present distresses, was to admit that the Corn-laws had occasioned those distresses — that was an argument the force of which he could not understand. He did not think it necessary, in the first instance, to consider what had occasioned the distress. He might concede to the hon. member, argumenti gratia, that it arose from the system of free trade, or from whatever other causes he thought fit; because, let it arise from what it would, there being so obvious a remedy at hand, as the letting out of bond a quantity of corn, in the very neighbourhood of a crowd of persons who were afflicted with want, the propriety of instantly resorting to that remedy, he thought, was too clear altogether to be denied. To say that, admitting this corn as a remedy for the evil, was making the absence of the corn the original cause of it, was an argument, as it seemed to him, no more capable of being sustained, than if a man should say, that because a particular medicine—bark or senna—had cured him of a particular disease, it was for the want of such bark or senna that he had first been taken ill with it. It would be too tedious a work, at present, to follow the hon. member for Somerset through the question as to what had been, or had not been, the real cause of the present distresses. Afflicting as they were, they were no more than, from time to time, at different periods, the country had been subject to, nor than probably must still continue occasionally to visit us, so long as we remained a great commercial nation. Perhaps, it would be impossible to trace the distress to any definite cause; but this the House knew, that it existed; and the only point that remained to be discussed was, the manner of its alleviation. —Then, for the proposal before the House, it consisted of two measures, different from each other in their extent and operation, and which would require to be supported upon different grounds. There now existed in this country a large quantity of corn, which had been imported under a law which forbad its coming at present into circulation: upon the very site of the granaries in which this corn was lying, there was a grinding, pressing, dangerous, and destructive distress; then could there be a question as to the propriety of at once letting that corn into circulation, and so gaining a considerable immediate relief, at little or no sacrifice on the part of the community? This was the first part of the measure proposed, upon which he did not think it necessary to dwell, because the hon. member for Somersetshire appeared to have no decided objection to it, and the hon. member for Wiltshire merely thought that another arrangement might be the more convenient of the two; and he should apply himself, therefore, at once, to the second branch of the proposition; namely, that which went to give government a power, prospectively, to admit foreign corn, in case of any extreme necessity which should make it, in their estimation, advisable to do so. Now, with respect to this discretion, he could assure the House, that of all the boons which it had in its power to bestow on ministers, this was the very last they desired to receive; in fact, it was a boon which, either for a permanency, or under any circumstances less trying than the present, if it was offered to them, they should most certainly resist. He understood, not having been then a member of the government, that at the time of first passing the Corn-laws, it had been proposed to vest such a power in ministers, but that by the gentlemen then in office it had been protested against altogether. But, if government now asked for that authority, or suggested the expediency of its being conferred upon them, which formerly they had refused, under what circumstances was it that they made the demand, or thought the discretion necessary? Parliament was about to separate. It might be said, not necessarily, practically, however, that was not true; for parliament could not be sitting all the year round. Now, he was no alarmist as to the quantity of corn in the country, nor did he know how far prices were likely to rise; but, for the last six weeks, no matter from what cause, we had had a rising market; and there were symptoms of a rising market still. This was so clearly the case, that his opinion was, that the bonded corn admitted would have no more effect upon the agricultural produce than to prevent a further rise. In speaking of prices, it would be understood, that he did not speak of high prices, or low prices, because those terms were properly relative to the condition of the country. This time twelvemonth corn had been at 76*s*.; now it was at 60*s*. Using the common terms, therefore, prices would seem to have been higher in the last year than they were in this; but looking at the comparative state of the country, there could be no doubt that the 60*s*. was a higher price now, than the 76*s*. twelve months ago had been. He repeated, therefore, that he avoided using the terms high or low, as regarded the price of corn; but the more so, because what was wanted in the price of corn, was not a high price or a low price, so much as a steady price: but, suppose that during the absence of parliament, such a rise were to take place as would create great and imminent distress, what course—this was what he wished to know of honourable gentlemen—what course was to be pursued? Would the House attempt to legislate beforehand as to the precise prices and rates of duty at which importation should be allowed to take place? Certainly not; because mere price was not, without reference to circumstances, a measure of what would be high or low. Would not the House rest a discretion somewhere? Which, after all, would be doing no more than had been done a hundred times without it; because, supposing the exigency to occur, government would assume the power without having it, and at once, according to the custom, call parliament together. As the law stood, if, between this and August next, corn did not rise in price to 80*s*. whatever the distress or inconvenience, nothing could be done. It might rise to 79*s*., and the distress might be most pressing, and still no measure of relief could be taken. It might happen that, on a sudden, as the existing distresses had occurred, so a necessity for some new measure might arise; and, at the time when this necessity appeared, the nation might be without a parliament. To provide against these possible contingencies it was, that government now came to the House, and desired to be furnished with that authority, from which, above all things, the desire of ministers would be to be delivered. Personally, they felt the power to be an infliction, but it was one which they preferred submitting to rather than incur the risk of mischief. With the expediency or inexpediency of the existing Corn-laws, the present measure had nothing to do. The existing rate of duty had only been adopted in it, because the mention of any other might have seemed to indicate in future an intention to make some change. He had taken the duty as he found it, giving no opinion as to its advantage—whether it should still exist, or whether it should be a maximum or a minimum, in case a permanent admission of corn, at a protecting duty, should eventually be resolved upon. He repeated, that the observations of the hon. member for Wiltshire, as to the amount of duty, seemed to him founded in error; because the question was not in any way one purely of amount. A reviving trade, with a high price, would assist the country more than even a modified price with the existing state of commercial affairs. At the same time the hon. member had deprecated any suspicion of insensibility on his part, to the distress of the manufacturing classes, in the opposition which he gave to the present measure, or of any inclination to believe that the interests of the agriculturists generally were opposed to those of the manufacturers. In the last feeling he entirely concurred with him; and he believed that the final settlement of this much-agitated question would perhaps surprise both parties, when it showed them how very little they really had to dispute about. Still less could he suspect the hon. member for Wiltshire, or any other member taking his side of the question, of any desire to advance the interests of his own class at the expense of the suffering of any other part of the community: he saw nothing in the expression of those opinions from which he differed, on the present occasion, beyond that anxiety for the assertion, by each party, of his own right, which rendered the debates of that House so peculiarly valuable. For himself, he thought that the hon. member for Wiltshire had done himself credit by the free expression of his sentiments; and he was satisfied every gentleman must see that if once any thing like charges of personal feeling were admitted into the discussion of a question like the present, so far from any thing being done really to aid those classes which were suffering, they would only have the further unhappiness of hatred and suspicion towards their superiors added to the present misery of their situation. Then, while he gave the hon. members opposite credit—and he did so fully, even in that which he thought the extravagance of their apprehensions—for the absence of any thing like interested motives, he hoped that they, on their part, would acquit government of any intention, under the mask of a distress which all parties must alike deplore, to come down to the House with a measure which went, or was intended to go, one point beyond the limit which they affixed to it. The present measure, as he believed, was calculated to do service to the whole country; and not least even to those very gentlemen who were the most strongly inclined to oppose it; for, if a distress should arise connected with the corn trade, and no power were given to relieve it, they might perhaps find the current of opinion setting so strongly against the land which they relied on, that they might be unable to maintain it. The right hon. gentleman sat down by repeating his assurance, that ministers, in asking this discretion from the House, asked that which, but for the peculiar exigency of present circumstances, their greatest comfort would be the failing to obtain.

Mr. *Bankes* thought, that the measures of ministers ought to have been taken much earlier; he thought, too, that there could be nothing in their policy which might not be more fully explained than it had been so far. The right hon. Secretary complained that the present measure was coupled with the general question of the Corn-laws. But, how was it possible to disconnect one from the other? There was a prevailing opinion among the lower classes, that they were suffering from the operation of the Corn-laws. The right hon. Secretary, who in words denied that this opinion was well-founded, admitted it in spirit; for, when the distress arose, it was by tampering with the Corn-laws that he proposed to relieve it. What would the first part of the hon. Secretary's measure—the letting in of the bonded corn—do? Suppose it reduced corn to 30*s*. a quarter, how would that help people who wanted work, and who had no money to buy it at any price? The right hon. Secretary said that this corn was bonded in the districts in which the distress lay. That statement was erroneous: 130,000 quarters of it, at least, were in London. For the first part of the proposition, he saw no advantage that could result from it: and he thought the principle erroneous. It was bad policy to encourage the working classes to look always, in case any distress affected them, for an alteration in the price of corn. At the same time, thinking the measure could have little operation in any way, he would not oppose it; but the second part of the proposition—that for vesting a discretion in ministers—he certainly should resist. He thought at least that such a measure deserved more serious consideration than to be stated on one day and passed on the next. Much as he was inclined to give credit to the present government, he would not intrust the power of altering the whole agricultural trade of the country to any government, without some stronger proof than had been given of the absolute necessity of the case. As to the first part of the present proposition, therefore, he should not object to the Speaker's leaving the chair; but the second point he felt it his duty to resist, and he should prefer the hon. member for Somersetshire's motion of a committee.

Mr. *Robertson* thought that the measure proposed would serve only to aggravate the existing evil. The distress arose from a failure of demand consequent upon the recent commercial distresses, and from the glut of British manufactures which existed in all the markets of the world. If the bonded corn was allowed to be brought into the country, the agricultural interest would take alarm, and a panic would follow its introduction which it would not be easy to allay. Another consequence of that measure would be, that corn would be brought down to half its present price, and it would not, after all, produce the desired effect; for it would be brought forward to a starving and impoverished people, who would not have the means to purchase it. It therefore behoved the House to pause before they acted with precipitation in a matter of such vast importance. The decision of this question required the greatest degree of coolness and judgment. It should not be rashly adopted. If foreign corn were allowed to be imported, he had no hesitation in stating it as his opinion, that ruin would be the inevitable consequence, without in the least relieving the distress which the measure undertook to remedy. The hon. gentleman then alluded to the report of Mr. Jacob; a report which was highly thought of by some, although he confessed he could not see in what its value consisted. Mr. Jacob said, that the average price of corn in Dantzic, Rotterdam, and Copenhagen, had never exceeded 20*s.*; it could, therefore, if the ports were opened, be brought into this country and sold for 26*s.*, leaving a profit of 6*s.* clear of all expenses. Mr. Jacob was certainly a man very well calculated for the inquiry which he set on foot; but he went forth strongly imbued with the feelings of government, and he was therefore unfitted to enter into an impartial investigation of the matter on which he was called upon to report. Taking the entire circumstances connected with the subject into his best consideration, he had himself a proposition to submit to the House, which would extend effectual relief to the distressed manufacturers, without injuring the interests of the landed proprietors. He proposed that the House should grant a considerable sum of money—he would name half a million—which should be placed at the disposal of government for the relief of the distressed districts. The way in which this relief could be best effected would be to let government, with this sum of money, purchase up the bonded corn, and the money collected in subscriptions throughout the country might go to purchase this corn for the relief of the starving manufacturers. If this plan were adopted, corn could be purchased at 30*s.*, or considerably less than half its present price; and not only would that measure produce the effect of alleviating the present misery, but it could be effected without injuring in any way the landed interest of the country, to which the House was bound to look, and without breaking down the hopes of prosperity which the landed interest might feel with respect to the state of the harvest next autumn. Having said thus much, he had only to add, that he was against the House going into a committee to consider the proposition of the right hon. gentleman.

Mr. *Whitmore* said, he could not, as some gentlemen seemed to do, consider the present measure as unconnected with the general question of the Corn laws, which he so lately had brought before the notice of the House; and, however he might have succeeded in making himself intelligible to those who heard him on that occasion, he was fearful that his views and opinions had not gone forth to the country in as clear a way as he could have wished. He stated then, and repeated now, that the time was arrived when the subject of the Corn laws should engage the most serious attention of the House. Government, however, had thought otherwise; and the further agitation of that great question was accordingly deferred. Under the present afflicting circumstances of the country, he was of opinion, that the measure proposed by his majesty's government would have the best effect; and, looking at the existing distress, he was persuaded, that, if parliament was dissolved without alleviating that distress, as far as might be practicable, consequences the most disastrous would follow. Had the House reflected on all the consequences of this measure? Perhaps, he should be allowed to explain, that the stock of corn in bond was now comparatively small; and that if the ensuing harvest should happen to be unproductive, the present measure would be absolutely necessary. He conceived that in the usual state of the country, taking one year with another, the produce was not equal to the consumption. If the contrary were the fact, and if the produce could be proved to exceed the consumption, there would not be any occasion for a revision of the Corn laws. He was borne out in his assertion of the deficiency of produce to meet the consumption, by the average importation, taken on the average of every ten years, from 1780 to 1820; from which it would be seen that it had been progressively increasing. From 1780 to 1789, the importation was 230,330 quarters; from 1790 to 1799, it was 320,609 quarters; from 1800 to 1809, it was 574,753 quarters; from 1810 to 1820, it was 684,642 quarters. This included the importations from Ireland; deducting which, the importation was 508,583 quarters. Now, from the year

1823, down to last winter, the harvests had been neither very abundant nor very scanty, so that during that period—a period too of considerably increased consumption—it must be concluded, that the stocks on hand had been rapidly decreasing, and that very little of them now remained. The hon. member, in proof of this part of his argument, went over certain returns from Mark-lane, from Liverpool, and from the general accounts of sales, and went on to point out the gradually rising prices in our markets, which had crept up from *55s.* to *56s.*, *58s.*, *59s.*, and *60s.* and a fraction. Seeing this progressive rise in the prices, and knowing the state of the money-market, he was led to believe that the stocks on hand were very small. He was aware the subject was a tiresome one, and that it was difficult to draw the attention of the House to it. Were it not for this, he would shew, from the most unquestionable authority, that the stock on hand was small, and that it lay principally in the hands of farmers (rich farmers, for the poor ones had been driven to market), and that the number of holders were daily becoming fewer and fewer. It was upon this ground, and from a fear of the consequences of a bad harvest, and other incidental circumstances, that he felt bound to support the present motion. He was aware of the power which the measure gave to ministers—a power which ought not to be intrusted to any set of men upon ordinary occasions, or in an ordinary state of things, but which were actually called for upon the present occasion. It was a fact, that the quantity of corn in bond could produce no material effect upon the market price of that article. In the present state of the funds it was not likely that speculators would be disposed to rush to the corn market in such a way as to cause any material alteration. And if the parties were wise they would take care to feed the market so sparingly as to meet the demand without causing a glut, and thereby altering prices. It might perhaps be said, that, in such a case, no material relief could be afforded to the existing distresses. He candidly confessed that he did not think there could. But it would produce the great moral feeling among the distressed manufacturers, that their case had been seriously considered by parliament; and that the legislature, though unable to give all the relief they wished to afford, still gave all that it was in their power to give. It would also have the beneficial effect of shewing the manufacturing population, that their distresses were not to be ascribed to the Corn laws. For he agreed with the right hon. Secretary, in thinking, that the parties upon this question would be surprised to find that they had been contending for so little. This feeling being impressed upon the people, would remove those dissensions and angry feelings which tended so much to disunite society and set one body of persons against another. If the House separated without the adoption of some such measure, it would be impossible to foretel the miseries which a bad harvest, and other at present unlooked-for circumstances, might bring upon the country. If the bill passed here, he was sure it would meet with no opposition elsewhere. It was not his intention then to enter into the more general question of the Corn laws; and, if he did not answer the observations of the hon. member for Somersetshire, and the hon. member for Dorsetshire (Mr. Bankes), it was not, he assured the House, because he thought their arguments either the most logical or the most unanswerable; but, because he thought the present period was not a fit one at which to enter upon such a discussion. He felt, too, that other and more fitting opportunities would present themselves for delivering his opinions upon the subject. He should support the motion.

Colonel *Wood* said, that the hon. gentleman had observed, that this country had grown corn hardly equal to its consumption. But, what was the fact? For the last seven years the country had been living on its own produce, and no importation of foreign grain had taken place during that time. The hon. gentleman had said on a former night, that in the internal trade of corn in this country there was a great falling-off. He begged to deny that. In the year 1822, there was a greater quantity of corn sold in Mark-lane than on any other occasion. He thought that this measure was the safest that could be resorted to under the present distressing circumstances; yet, although he regretted as much as any gentleman present the existence of distress in the manufacturing districts, and would go as far to relieve them, he confessed that he was not very sanguine as to the benefit which this measure would effect. He should regret, if the disturbed districts should suppose that by passing this measure for their relief an admission was implied that the Corn laws were conceded. The better way, he thought, would be, to settle the question of the Corn laws at once, by referring those laws to a select committee in order to ascertain how far their revision would be proper or advisable under the present circumstances. He would say in that committee, that he had no objection to the proposal to let out the bonded corn at 12*s.* So far there would be little difficulty; but he thought it impossible to look at the proposition relating to the discretionary power which was proposed to be vested in government, with respect to the importation of foreign grain, without a reference being had to the Corn laws. When the Secretary of State, the other evening, laid his proposition before the House, he did not state what price the corn ought to arrive at before the discretionary power which government required of parliament should be resorted to. He hoped, if his majesty's ministers should be invested with that power, that they would acquaint the House as to the price at which it was intended to fix English grain before the foreign corn should be allowed to be imported. He had now a proposition to offer: it was this. Instead of keeping the ports shut against foreign corn at 80*s.*, he thought they should be opened at 70*s.* Why, he would ask, were the ports to be kept shut until the average price of corn should be 80*s.*? The cause was this:—At the time when that regulation was entered into, there was great agricultural distress existing, which rendered it necessary to adopt that course, in order to protect the landed interest; and it was thought that 70*s.* was too low to extricate the agricultural interest from the difficulties by which they were surrounded. It was impossible to say too much in praise of the manner in which the agricultural interest bore up against their trials at that distressing period. It was impossible to give them too much credit for the patience with which they bore their misfortunes; but they were now recovered from the shock; they were on their legs again. He would not say that they were in prosperity, for the distress of 1821 and 1823 had hardly as yet subsided, at least its effects were still felt; and it might be said, that the agricultural interests had scarcely recovered from the shock they sustained at that period. The average price of wheat, for the last six years, it appeared, was 60*s.* Now, he would say, let the ports be opened at 65*s.* He thought it would be wise if the agricultural interest would agree to that proposition. The law was originally passed to extricate the agricultural interest from the difficulties under which they laboured, and the restriction price was fixed at 80*s.*; not because that was considered a fair standard, but because they were unacquainted with what ought to be the real sum under which corn could not be imported. It was not the wish, neither was it the interest, of the agriculturists to force prices. All they wanted was a fair remunerating price; and to that they were fairly entitled. We were now in a state of peace, and could produce corn enough for our own use; but it was possible that that peace might be interrupted, and then what would be our situation if we should be obliged to look to foreign ports for a supply? Allusions had been made to Mr. Jacob's Report—a document which he confessed he had not read; nor, indeed, had he heard of it, until it was produced in the House by the hon. member for Bridgenorth. This, however, he knew, that instead of sending that gentleman to Poland, he ought to have been sent to Ireland, to inquire what was doing there. Ireland had been for some time gradually improving as a corn country; owing to the opportunities which she had of coming into this market. The gallant officer, in conclusion, repeated that, instead of adopting this ineffective measure, it would be better to settle the whole question at once, by fixing the restriction price of corn at 65*s.* or 70*s.*, as might be deemed most expedient.

Lord *Milton* said, he had paid great attention to the speech of his hon. friend who had last addressed the House, but he trusted his hon. friend would forgive him for saying, that, as his speech was rather calculated for Tuesday, the 18th of April, than for Tuesday the 2nd of May, he would not that evening enter into an argument with him. He could not help expressing his regret at the course pursued by his majesty's government on this occasion. Undoubtedly, during the three days preceding yesterday, every body anticipated some communication from the Crown to parliament, relative to the distresses of the manufacturing districts. Different people according to the different views they took of the state of the country, and the remedies applicable to it had formed different expectations as to the measures that would be proposed by government; but, with the exception of ministers themselves, and the hon. member for Bridgenorth, he doubted whether there was an individual any where to be found, who thought that the situation in which, unfortunately, the manufacturing population of the country were placed, could be prevented by the measure propounded by ministers. He would not go into the common-place dissertation on the adaptation of remedies to diseases, but he would affirm without hesitation, that, unless he was quite mistaken as to the nature of the calamities under which the country was suffering, the remedy now proposed had no relation to those calamities. The right hon. Secretary had stated, that he did not intend to tamper with the Corn-laws; yet he brought forward this measure, not as a permanent alteration, but in order to admit the bonded wheat for a temporary exigency. For that purpose the right hon. gentleman called on the House to invest his majesty's ministers with a power, which, under no circumstances ought these or any other ministers to possess. If, indeed, the population of the manufacturing districts were suffering from the want of the necessaries of life—if food were raised to an excessively high price, or locked up in the warehouses of London, Hull, or Liverpool, by the operation of any particular law, then he could understand the sense of opening those warehouses by such a measure as that before the House. But, without entering into the cause of the evil now pressing on the country, he would venture to state, that it was not the want of food that constituted the grievance. It was his firm conviction, that the commercial districts were now suffering the extremity of that distress under which five months ago the banking houses of the metropolis had fallen. There was no destruction of commercial or agricultural capital. All that was wanting was credit; and he complained of ministers that their measures, instead of maintaining public credit, had tended, but he did not say were designed, to destroy that credit which successful speculation might have revived. He had no wish to enter upon the general question of the Corn-laws. Every body, he was sure, would concur with him that this was no remedy for the evils under which the people of Lancashire were groaning. The principal argument in favour of the measure was, the necessity of giving the Crown the power of admitting foreign corn, when parliament might not be sitting. But why, he asked, need the country be without a parliament at any time previous to the next harvest? A heavy responsibility would rest on ministers if they counselled the Crown to dissolve the parliament during the present crisis. He approved of the suggestion of the hon. gentleman who had seconded the amendment, that a sum of money should be voted in aid of the rates, to enable the parishes to bear the great pressure they had to endure. He was aware that such a course was not in conformity with sound principles; but, when the public were called upon to subscribe for the relief of large bodies of their suffering countrymen, the State ought to interfere. At that moment, the people of Lancashire might be considered the poor of England, and the whole nation as the parish to which they belonged. They were in justice chargeable, not on the parishes of Blackburn or Bolton, but on the country at large. The acts of that House, and the speeches made in it had contributed, not immediately, but remotely, to produce the evils under which the distressed population were suffering. Over-trading was, he believed, the leading cause, which in its train had drawn after it all the other calamities.

Mr. *Philips* said, he should regret much if the proposed measures should not be carried, because he was satisfied, that the effect would be not only to retard an advance in the price of provisions, but, by increasing our exports, to give employment to those who were now unemployed. It had been stated by many hon. members, that the manufacturing population attributed all their calamities to the present price of corn; but he was convinced that such an opinion was not general among those classes, and that the course pursued by the hon. gentlemen who put themselves forward as the advocates of the agricultural interest was the principal cause of having such an opinion entertained by some of those classes. He could assure those hon. members who spoke so slightingly of the manufacturers, many of whom were in an inferior station of life, that they had more correct notions upon the subject than hon. members gave them credit for, and that many of those individuals in humble life would, if admitted into that House, puzzle the country gentlemen. He knew many artisans who delivered speeches upon the subject—speeches which, he would venture to say, were as full of moderation and good sense as the speeches of persons in higher stations of life; and among those artisans he could name one individual, whose name had been mentioned more than once in that House, he meant a cotton spinner of the name of Hodgkins, who possessed much influence among his fellow workmen, and displayed so much good sense and moderation, and such powers of reasoning, as would be admitted by any society to justify his offering an opinion upon this question. With respect to the observation of the hon. member for Dorsetshire, as an argument for high prices, that the landed interest composed three-fifths of the population, and that they bore all the burthens for the relief of the poor, he would merely observe, that although three-fifths of the population might consist of the landed interest, not one-third of the population was employed in agriculture. With respect to the landed interest in Lancashire, which was the scene of the present distress, who, he asked, composed the landed interest, and were obliged to support the poor? It could not be denied that the manufacturers composed the landed interest; or at least the occupiers of land in that county. Before he sat down, he begged to make an observation upon what had occurred that day in the city. He meant the subscription which had been commenced, which he was satisfied would produce the happiest effects. It would show the manufacturers, that in seasons of difficulty and distress, they must look for the alleviation of that distress, not to the destruction of looms, which could produce no effect, except depriving the masters of the means of giving employment—not to acts of outrage which must be repressed by the law—but to the sympathy of those classes of society who possessed the means, and who showed no unwillingness to afford relief.

Mr. *Calcraft* said, he could not give a vote upon the present occasion, without stating to the House, the grounds upon which he was induced to vote. He wished he could agree with the right hon. gentleman opposite, that the effect of the measures proposed would be the introducing of a cordiality of feeling between all classes. He looked upon the effect of the measure in a different light. He thought, if the proposition of the right hon. gentleman should be carried in the way in which it was proposed, nothing that had ever happened was so likely to promote dissension and misunderstanding between the two great classes, agricultural and manufacturing, whose interests were, in his opinion, inseparably connected. He felt rather aukward upon the present occasion; because, when in the early part of the session he had taken occasion, upon the presenting of a petition, to put a question to the right hon. gentleman upon the subject, and of stating his opinion that the country would derive benefit from the House manfully facing the question, and settling it, than by any postponement—that right hon. gentleman had told him to wait until the 18th of April, and that he would then hear the sentiments of his majesty's government upon the subject. He did wait, and the result of the discussion which took place upon that occasion, convinced him of the propriety of postponement; and he therefore voted with the majority. What, then, must be his surprise, when, in so short a period as eight or ten days after that discussion, he heard his majesty's ministers proposing measures which involved the whole question, the discussion of which, during the present parliament, they had but so short a time before deprecated? After this, he did not know in whom to place confidence, and he thought the only chance a man had of doing what was right, was to rely solely upon his own judgment. This was not all; because, about five or six days ago, the right hon. gentleman, in answer to a question put by the hon. member for Shaftesbury, had said that it was not intended by his majesty's government to let out the bonded corn. What alteration had since occurred to change the resolution of ministers, had the price of corn risen rapidly? He knew that circumstances of a calamitous nature were then in existence; and certainly, if letting out the bonded corn would soothe the feelings of one unhappy being in the distressed districts, in God's name let it be so. But his great objection was to the second proposition, namely, that which invested his majesty's ministers with the power of dealing as they pleased with a question which, they said, was not fit even to be discussed by parliament this session. Yet they, who from day to day, knew not what measures they intended to apply to the state of the country, claimed the absolute discretion of acting as they thought proper. Much as he wished to vote with government, he felt it impossible to put the least confidence in their doubtful and fluctuating councils. He defied any man to point out any instance in which the weakest administration that had ever existed, had manifested more vacillation and indecision than the present ministers, with reference to this vital topic. His first objection was, that the proposed measure would be a direct infringement of the law, in the most invidious manner. If the Corn-laws were to be got rid of in this way by a side wind, the artisans of Lancashire, whom the hon. gentleman had praised so highly, would conclude that they had triumphed over the landed interest. But how? Not by their petitions, certainly; but by—what? Their impression would be, that government had deluded the landed interest out of the Corn-laws, in order to prevent the progress of their disorders. Instead, therefore, of promoting a good understanding, the measure would only sow discord between the two classes whose interests were really as inseparable as those of England and Scotland. But what would our friends say in Ireland and Canada, if the Corn-laws were thus suddenly repealed? It would better become government to say at once, that circumstances had so changed, and so many events had occurred entirely unexpected, as to warrant them in changing their opinion. Let them then invite the House to the regular discussion of the whole question, and take the sense of parliament. If that were done on fair principles, he was convinced, that whatever might be the decision of the majority of that House, there would be no discontent in the public mind. The neglected agriculture of Poland and Germany was much dwelt upon; and it seemed as if it were deemed the duty of this country to re-establish its prosperity. Sure he was, that if the supply of corn from those countries was thrown open, the supply for the next seven years would not be had on as liberal terms as we had obtained it during the last seven years from our own agriculturists. Mr. Jacob fixed the probable price of corn from abroad at 60*s.* while during the last seven years, the average of our home growth had not exceeded 57*s.* He was convinced that the removal of the restrictions on foreign corn had nothing to do with the relief of the distresses of the people of Lancashire. When the artisans of that district remembered that that House had voted large sums to the distressed Hanoverians, Russians and Portuguese, they would think it extraordinary if something was not done, in the same way, for the relief of sufferings so much nearer home. If, therefore, government would not move the grant of a specific sum, and nobody else would, he would discharge that act of duty himself. He was fully aware of the difficulties of the measure; but, if any thing could reconcile the people to the extravagant expenditure of government, it would be that some portion of it had been applied to the relief of distress. He trusted the right hon. gentleman would not persevere in the proposition he had brought forward, but that, instead of it, a sum of public money would be voted for the immediate benefit of the miserable population of Lancashire.

Sir *J. Newport* expressed himself favourable to a grant of money by the government for the relief of the distressed manufacturers; and, as he could not see that the measures proposed by the right hon. gentleman offered any remedy for the distress, he should support the amendment of the hon. member for Somersetshire, provided there should be an instruction to the committee to dispose of the bonded corn. He thought the House ought, by releasing the bonded corn, to give an earnest of their good intentions towards the distressed manufacturers; but his most decided objection to the second measure was, that no beneficial object could be obtained by it which could not be obtained by his majesty's government acting upon their own responsibility, and coming afterwards to parliament for an act of indemnity.

Lord *John Russell* began by observing, that after the promise which ministers had made last year, to discuss the question of the Corn-laws, and after their deprecation of that discussion in the present year, he did think that the agricultural interest had just cause to complain that that question was now, in fact, introduced in this side manner. He thought that in any form in which the motion for a grant might be brought forward, it was objectionable as a bad precedent. How did the present state of the country operate on this question? There were many persons now in a very unfortunate situation. They were suffering under the pressure of extreme distress; and not only so, they were guilty of committing excesses. These persons now came to the government, and stated their case; and government offered to relieve them by altering the state of the Corn-laws. What was the effect of this conduct? Did it not amount to an acknowledgment, that the state of the Corn-laws was the cause of the present distress? And the consequence must be, that the next time any distress arose among these people, that distress might be followed by insubordination, and they would come to parliament with a threat, and say, that they had been once relieved by a relaxation of the Corn-laws; that those laws must be further relaxed; and that government must diminish the amount of the duty, for that, as they had admitted the Corn-laws to be the cause of the distress, and as experience had proved that to be the fact, they had found that they had only to ask for relief, no matter in what manner, and they should obtain it? He thought the precedent would be highly dangerous; that it would be holding up the landed interest of the country as the persons, who not only kept their fellow-countrymen from the means of obtaining bread at a cheap rate, but who refused to afford the means of relieving the present distress of the country. The right hon. gentleman who had commenced this discussion had expressed his wish that it should be considered only as a question of the means of remedying the distress, and not as a question on the Corn-laws; but it had so happened, that the debate did not turn merely on the cause of the distress, and on the remedy to be applied to it, but on the question of the existing state of the Corn-laws. He should now consider, first the application of the remedies to the distress, and secondly, he should make a few remarks on the observations which had been made regarding the Corn-laws. As to the first, the proposition was, that a considerable quantity of foreign corn should be introduced into this country; and that introduction, the right hon. gentleman had declared, would only produce the effect of preventing the corn from rising in price. If that were certain, he should for one have no objection to the proposition; especially as it had been declared to be founded solely on consideration of the circumstances of the present time. Still he must ask, why had not the right hon. gentleman who presided at the Board of Trade taken these circumstances into his consideration previously to the present moment? And, if the distress arose from the causes stated by ministers, and was to be remedied by the means they had proposed, was it not matter of blame that these circumstances had not been weighed, and the consequences foreseen and provided against by ministers, and especially by the right hon. gentleman, to whose care was intrusted the superintendance of the trade of the country? However, taking the measure which was now proposed as a good measure, and one that was likely to answer its intended object, what, he would ask, would be the effect? The right hon. gentleman had said, that the warehouses containing the bonded corn were constantly in the view of these distressed manufacturers, and that to open those warehouses to them would be the best method of affording them relief. Now, if those warehouses were actually to be opened to these men, he should agree to the proposition; but the fact was, that the warehouses would only be opened to the merchants who would purchase the corn, and then sell it afterwards to these men at the regular market price. The right hon. gentleman had, indeed, said, that it would be reduced in price; but suppose a reduction of 10*s.* per quarter took place, surely it would not be contended that that would be a great relief to the distressed manufacturers. He would now come to the second measure—that of giving to government the power of opening the ports during the recess, or before the meeting of the next parliament, should circumstances (to be judged of at their discretion) so require; and, as an argument in support of this it was urged, that under any circumstances the ports could not otherwise be opened before the 15th of August. He for one would hesitate before he left such a power to the discretion of ministers; a power which, by opening the ports even at the duty of 17*s.*, might, in the course of a few months, so fill the country with foreign corn, as to destroy the agricultural interests for years to come. If such a power were considered necessary, the measure should have been introduced long before, when the whole subject, in all its bearings, might have received that mature consideration which its importance deserved. This, however, was not done, and he must say of the omission, that it was a gross abandonment of duty on the part of ministers. Having, however, passed over the opportunity of doing this, they now came to the House to ask for a dictatorial power over the most important of all questions—that which related to the subsistence of the people. He would not consent to the grant of any such power; and therefore, as it was moved that a select committee should be appointed to inquire into the cause of the present distresses, he would gladly support that amendment; and in supporting it, he opposed that want of firmness and decision which characterized the proceedings of ministers on this question. He had lately voted with them on this subject, on the understanding that, in the present year, nothing was intended to be done with respect to the Corn-laws, and he would gladly vote with them again if they proposed any fair measure which would set the question finally at rest. If the present distress was caused by a want of credit, nothing would be more useful than an advance of money to the manufacturers; but if it arose from a want of demand for their produce, then a grant of money would be of no use; but the difference of opinion which existed as to these points was a reason why an inquiry should be entered into, as to what were the causes of the distress, and what would be the most efficient remedy. As to an alteration in the Corn-laws, he thought there would be no objection to such a one as would settle the question permanently. The alteration necessary to be made would, he was sure, be found on inquiry to be very small; and if the subject had been considered as it ought to have been at an earlier period, that matter might have been set at rest. It was most desirable that it should be settled, as a great degree of anxiety existed among farmers and land-owners with respect to it—an anxiety very natural, when they found that they were held up to the country as the causes of the present distress. This was a state of things which it would be extremely unwise to allow to remain, and therefore he was anxious for any measure which would set the question at rest. If such an attempt had been made in the early part of the year there would now be an end of the question. He had opposed the motion of the hon. member for Bridgenorth on this subject, because he thought it would be impossible to carry it through without the concurrence of government; but he thought that the right hon. gentleman (Mr. Huskisson), if he had given the subject the consideration its importance deserved, and introduced it with his usual clearness, might before now have carried a final and satisfactory arrangement of it through both Houses. In such an arrangement none would have more cordially concurred than the landed interest.

Mr. *Huskisson* said, that after all the speeches he had heard on the subject that night from the other side of the House, he still retained the same opinion which he expressed a fortnight back, that the present was not a proper time for going into a general revision of the Corn-laws. He had heard nothing upon the present occasion which tended, in the slightest degree, to shake that opinion. It would, perhaps, be more correct to say, that he was confirmed in that opinion by all that had passed out of doors since what he must call the unfortunate discussion of the subject, not many nights back in the House. After what he had stated upon that occasion with respect to the final settlement of the question, they must take a very different view of it from him, who thought that the present was a fit time for entering into it. It was not a little surprising, that when his right hon. friend announced last night what government meant to propose, and the reasons on which it was grounded, there did appear to be, on all sides of the House, a spontaneous, cordial, and universal concurrence in the proposition, greater than he ever recollected upon any former occasion. Not only did this strong concurrence of sentiment manifest itself, but also a determination, that when the subject came to be considered on the next night, it was not to be mixed up with the general question of the Corn-laws, or any other heterogeneous consideration. This he looked upon as a happy omen; and had the same feelings continued to influence the House, the best results must have followed. It would seem now, however, that some new light had broken in upon hon. gentlemen, and accordingly, with an ingenuity which he could not well comprehend, it was boldly inferred, that the only effect of the measure now proposed, would be, to confirm the manufacturing population in an opinion, that the cause of all their distresses was the Corn-laws, and that the proposal of his right hon. friend must be considered as amounting in fact to such a declaration. This was a most extraordinary inference to draw from a proposition, the only effect of which would be to let out the corn at present in bond. The conclusion was not a logical, or a fair one. For himself, he had no hesitation in denying that the Corn-laws had any thing to do with the existing distress in some of the manufacturing districts, or that they even contributed to produce it. It was not a logical, or a legitimate mode of reasoning to say, that because government came forward with a measure, which, in their view, had a tendency to alleviate the present distress, to soothe the feelings of the sufferers, and to show a sympathy with their sufferings, that therefore they looked upon the Corn-laws as the cause of the distress. His opinion might perhaps be worth little upon this subject, or upon any other; but he must frankly and openly say, that he did not look upon the Corn-laws as the cause of the distress. This question would be much more effectually and satisfactorily settled by a reference to facts, than by the authority of any individual, however respectable. Now, he would ask, what was the situation of the manufacturing districts last year, and this year? Last year, the manufacturing population was in most active and general employment. A spirit of over-speculation and over-trading prevailed. The whole world was ransacked for raw materials to give employment to their manufactures; and it seemed as if they never could get enough, either of building materials for the vast number of new factories that were commenced, or of the articles necessary to put them into operation. Credit, though it existed to overflowing, was not adequate to meet the increasing demands made upon its speculation. At that period, however, when the manufacturing districts were in full employment, when there was no complaint among the population, corn was 7*s.* or 8*s.* a quarter dearer than at present. Now, however, that the state of the manufacturing districts was so different—that the population was suffering the most serious calamities—they were told, because government came forward with a measure calculated to afford some relief, that they wished to spread a most dangerous delusion among the people, and to impress them with the idea that the Corn-laws were the sole cause of all the distresses. How was it possible for any man to come to such a conclusion as this, knowing at the same time the fact, that last year, when the manufacturing districts were, perhaps, in the most flourishing state that was ever recollected in this country, the price of corn was actually 7*s.* or 8*s.* a quarter more than in the present year. When he said that the price of corn was higher last year, he trusted no person would infer that he considered the present price as not materially exceeding that of last year, taking into consideration the price of all other articles at the present period, the price of labour, and all the existing circumstances. On taking all these things into account, the conclusion must be, that the price of corn was now greater in reality, though not nominally, than it was last year. He was not one of those who maintained the theory, that the price of labour should be in the inverse ratio of the price of corn. Upon this occasion, however, he wished to avoid the general question of the Corn-laws, and to state distinctly that the present subject had nothing to do with it. The noble lord opposite (Milton) seemed to think that want of credit was the cause of the evil, and the noble lord gave what he considered a definition of credit. He said it depended on opinion. In a certain sense this was true; but, for himself, he knew no possible way of reviving credit, but by reviving the demand for commodities. Credit could not possibly be created by any act of authority; by any interference on the part of the government. It must arise from demand. When that began to advance—when prices, in consequence, began to look up—when capital and labour began to find ample employment—then, and not till then, would credit improve. Such, however, was not at present the state of the country. But, though the wages of the manufacturing population were low, they were not quite unemployed. In those districts where the distress prevailed the people were not quite out of work, though the wages were not sufficient to enable them to support their families. Now, if, under such circumstances, some measure could be adopted, to prevent, at least, a further rise in the price of corn, to render the rate of wages more commensurate to the price of the necessaries of life, and to come in aid of that relief afforded by the poor-rates, this surely would be doing something to alleviate the present distress; it would tend to inspire hope and confidence, and parliament, by adopting such a measure, would do no more than sound and liberal policy recommended. It was admitted on all hands, that the most disastrous consequences might be occasioned by a further rise in the price of corn. To prevent this was the only object contemplated by the present measure; and he could, therefore, see no valid argument against its adoption. He wished to call the attention of the House to one fact, which appeared of some importance in considering this subject. He held in his hand a return of the prices of corn during six weeks of 1825, from the 19th of March to the 23rd of April, and during the corresponding six weeks of 1826. Now, during the former period the manufacturing population was in full employment. There was no complaint of distress, and yet the prices were higher than in the corresponding period of the present year. The price was, in the first of these six weeks of 1825, for the quarter of corn, 68*s.*; for the second, 68*s.* 9*d.*; the third, 69*s.*; the fourth, 68*s.*; the fifth, 68*s.* 6*d.*; and the sixth, 66*s.* 6*d.*; so that it fell 2*s.* during the last week. Now, what did they propose at that period?—To let out the corn then in bond, because there was a feeling that, if, before the harvest came in, the price should rise to 80*s.*, the consequence would be such a sudden inundation of foreign corn, as must produce a rapid decline of price, and be attended with the worst consequences to the agricultural interests. To prevent this, it was judged advisable to let out the corn, which had been long in bond, and thereby prevent a sudden rise to that price at which importation must have taken place. These were the grounds on which the measure was recommended by him last year, and on which he recommended it to the support of the House. Was it too much to ask in 1826, and under the existing circumstances of the country, to have recourse to a measure similar to that adopted in 1825, though with a view to a different interest. What must be the feelings of the manufacturing population, if they should be told, that parliament, in 1826, under circumstances of difficulty and distress, refused to act with the same liberality and consideration towards them as they did in 1825, towards the agricultural interest, by the adoption of a measure calculated to prevent the sudden rise of price, and thereby the importation of foreign corn. And be it remembered, that at the period, when this regulation was introduced in 1825, the price was on the decline, for it fell 2*s.* in one week, whereas, it had lately risen from 54*s.* 11*d.* to 60*s.* 1*d.* These considerations, he thought, were of themselves sufficient to justify government in the measures proposed by them. What became, then, of the argument put forth to show they were proposing to tamper with the Corn-laws; and that by this measure it would be impossible that that question could have a fair discussion next year? The same thing had been done last year; and therefore there could be no difficulty in the way of letting out the bonded corn. The fact was, that the opposition had arisen in the imagination of some gentlemen out of doors, and had found its way into that House upon the present occasion.—He would next touch upon another part of the question, upon which he understood there was a much more decided feeling of objection; although he did not understand that the hon. member for Somerset had those objections so strong that they could not be overcome by preliminary inquiry. This, he must say, he felt strongly opposed to, on account of the feverish anxiety it would create in the country, and the contradictory evidence which, upon a subject of this kind, they were sure to have. The hon. member for Somerset did not object to the measure respecting the bonded corn, but to the other measures he did object. Now, he thought he had a right to complain, on behalf of his majesty's ministers, that in a case of discretion being placed in their hands, which they were so little willing to receive, honourable gentlemen could not wait till they got into the committee and heard the explanations as to the nature of the measures, before they offered their opposition. For his own part, he must say, that he was by no means prepared to state any opinion upon the question of the supply of corn to this country. In the absence of all statistical information—in the absence of all knowledge, which in some countries however easy it might be to get, in this it was most difficult to establish the means of acquiring—it would be rash in any one, but more especially in one holding an official situation, as he did, with a certain degree of authority attached to his opinion, to declare that we were without an adequate supply of corn; in other words, without the means of subsistence in sufficient quanties to fill the markets. But were there not facts established upon this subject which must materially guide the judgment? In the first place, was it not true that the price of corn, at a time when there were causes in operation which had led to a fall in the price of all other commodities, had been steadily rising for the last six months? Secondly, was it not equally true, that the supply to all the corn markets in the country had been materially deficient for some time past, by several hundred thousand quarters, compared with the corresponding period in former years? Now, upon these facts it was material to observe, that in the year 1823, when, from something like the same causes, embarrassments were created, and circumstances pressed hard upon the property of the country, and led to great depressions in trade, corn sunk to the very low price of 38*s*. When, therefore, it was contended, that the present high price of corn was caused by the state of the currency, it was incumbent upon those who held such a doctrine to reconcile it with the fact he had already stated, of the price of corn falling in a former year, when the same causes were in operation. In the attempt to reconcile the doctrine with the fact, it would be impossible that they should not perceive, that there was some element at work in the present case which was not in existence upon the former occasion; and that was, the difference in the state of the supply. He was most anxious to preserve the Corn-laws at the present moment, and he recommended those who were of that mind to consider well ere they rejected the proposal to let out the bonded corn. Let them consider, that last year 500,000 quarters of foreign corn had been let out into consumption in the period between June and the harvest; and it was to be borne in mind also, that the harvest of last year was one of the earliest that had ever been gathered in this country, and that, from peculiar circumstances, it was immediately available for consumption. Now, he would venture to say, that it was entirely owing to these 500,000 quarters being thrown into consumption at that period, and the early harvest of which he had spoken, that the ports had not been opened in August of last year. He was convinced, from the prices in June last, that they owed the advantage of the ports not opening, to the two circumstances he had mentioned. This surely ought to be well weighed by those gentlemen who dreaded such an occurrence. He maintained, that it was by no means a visionary fear, that between the present moment and the next harvest, or before the corn was ripe for consumption, there would be considerable difficulty to prevent the ports from opening, and the natural operation of the law. At the same time, it could not be denied that, in the present condition of the country, in the present state of the currency, the circumstance of corn rising to 80*s*. would have the effect of so augmenting the difficulties and increasing the pressure of distress, as to incur the risk of shaking society to its very centre, and endangering the security of property. But, was the danger of having the ports opened the only inconvenience to be anticipated? Was there nothing in the situation the country was likely to be placed in if there were not power in some quarter to admit corn into the country between the 15th of May and the 15th of August? As the law now stood the ports could not be opened in less time than a week after the 15th of August, even if the price of corn rose to 80*s*. as the average was struck upon the prices for the six weeks preceding that period; so that the price might rise to 90*s*. or any other price which should cause famine to stalk through the land, and there would be no power to apply a remedy without convening parliament, and discussing the whole of the Corn-laws, and the principle upon which they were founded, in such a condition of things. Could a temperate discussion of the subject be hoped for under such circumstances? It was, therefore, better to provide in time, and not to depend on such contingencies. Let not gentlemen, then, run away with the impression, that by the adoption of this measure, the ports must necessarily be opened. They would remain shut, unless such circumstances occurred as would render their opening an object of paramount necessity. It had been said by an hon. baronet—if such necessity should arrive, why not throw open the ports on their own responsibility, and come afterwards to parliament for an indemnity? He answered, that if the state of the country was such as that they had a reasonable cause to foresee the circumstances under which they might be compelled to do so, it would be better to provide for the necessity beforehand. If the contingency should happily not arrive, the power granted would be harmless. There was another difficulty, which he begged leave to suggest to the hon. baronet. The hon. baronet had said that upon former occasions ministers had acted upon their own discretion, and had then come down to parliament to obtain an indemnity. But the hon. baronet, when he made use of that observation, ought to have recollected, that the prohibition of foreign corn in the first instance, and then its importation at a fixed duty in the second, were the inventions of modern times. He asked the hon. baronet whether the Crown could of itself impose a duty of 17*s.* upon foreign corn? The duty, the hon. baronet ought to know, was contingent on the price in the home market; was fixed in its amount; and was besides imposed by parliament; and therefore when the hon. baronet said, "let ministers act upon their own discretion," he had only to reply, that the only discretion, indeed the only power, which ministers had left to them to act on, was the opening of the ports at once, free from all duty whatsoever. Now, what ministers asked of parliament at present was, to grant them such a power as would adapt itself to the existing state of the law, and would enable them to take such measures as the existing state of the country might require. If the House had been in a committee, and he had been allowed to state his resolution in the committee, he should have stated, that ministers did not ask for the power of opening the ports at any time, but the power of opening them under certain conditions for a time limited by the circumstances of the country. If it should be thought right to add to the limitation of time and circumstances the limitation of price—as, for instance, that the ports should not be opened unless the price was at 65*s.*—he would say, that for that or for any other prudent limitation which parliament might give them in the exercise of the power which it intrusted to their hands, he for one should be very thankful. Let parliament, however, consider, first, whether it would lock up this quantity of corn in the face of rising prices in the present distressed circumstances of the country, after it had liberated a much larger quantity last year under far more favourable appearances; and secondly, whether it would see the session terminate, under all the difficulties with which the manufacturing classes had to contend, and with all the feelings which those difficulties were likely to engender among them, without leaving to ministers, under some limitations, or with some instructions, the power of saying and proving to the people, that means of relief were provided for them, in case corn before the ensuing harvest should rise to an inconvenient price—inconvenient, he meant, with their means of obtaining supply, and with their other general circumstances. If parliament refused ministers that power, those who induced it to refuse it them would incur a responsibility, of which they would do well to contemplate the extent. He protested beforehand against the consequences which must ensue, if, for three months or more, government should be left without the power of relieving a starving population by the introduction of foreign corn. He had now stated the grounds upon which he was inclined to support the motion of his right hon. friend. It was admitted, he believed, on all hands, that the first of the two proposed measures was a measure of relief, or he should perhaps rather say of prevention against further pressure. It was a measure which, without any compromise of principle on the general question of the Corn-laws, and without committing any gentleman to any particular side upon it, would, under the existing circumstances of the country, tend greatly to alleviate the irritation which prevailed, and to create a better moral feeling than existed at present. As to the other measure, it might not be necessary to recur to it at all; but, if a necessity should arise for it, it would be a means of averting great calamity from the community; and upon that possible case he thought it was a measure which came down to the House strongly recommended. He did not mean to say that even these measures would afford immediate relief to the existing difficulties; for he knew that those difficulties were not connected with such causes. He knew that there had been a glut in all the foreign markets of our foreign manufactures, and he also knew that if any thing greatly depressed the price of corn in the home market it would only lead to a further aggravation of our difficulties and distresses. He said, that, if parliament allowed this corn to be taken out of bond, the parties to whom it belonged, having disposed of the supply of foreign corn which they had in hand, would send abroad or purchase more, and more would thus come into bond. Those who purchased corn would create a demand for our commodities—that demand would create credit, and the beginning of credit would be the termination of the existing distress. The cotton manufacture was not touched by any laws in the shape of either duty on its imports or exports. It was in that branch of our manufacture, that a market was most particularly wanted. He believed he might say, that two-thirds of our cotton manufactured goods were not made to meet the home consumption, but the foreign demand. If, therefore, a foreign demand could be created, either by the purchase of corn or by any similar measure, relief would be administered to the cotton manufacturer. Other branches of our manufactures were less connected with foreign demand. The home market was for them the nearest and the best; and the most effectual mode of administering relief to them would be by creating an increased demand for them. The evil under which the country now laboured, arose from over-trading, and a want of credit; and the only way in which it could be remedied, was by creating such a demand as would lead to the renovation of credit. He contended, that this measure was calculated to produce such an effect upon those branches of our industry which were most affected by the present depression. He should not have troubled the House with any further observations, had he not felt himself bound to notice a circumstance which had been commented on with a severity, of which he did not complain, by the hon. member for Wareham. In the course of the presentation of some petition on the subject of the Corn-laws, the hon. member for Shaftesbury, without any previous intimation of his design, had asked him if he intended to put any more of the bonded corn into circulation. He did not tell the hon. member that he had any such intention either one way or the other. His answer, en passant, was, that it had been decided by his majesty's government, that the general question of the Corn-laws should not be decided that session. He did not mean to say that his answer was prudent; but what would the hon. gentleman have thought of his prudence, if on a question so full of delicacy, and leading to so many important considerations, he had answered, either that it was not under consideration, or that it was under consideration, but that the result of it could not be disclosed? He contended that he could have given no other answer to the hon. member for Shaftesbury, without leading the country to suppose that some immediate measure was in the contemplation of the government. The right hon. gentleman, after briefly recapitulating his former argument, added, that the beneficial effects of the poor laws—which in a crisis like the present were so beneficial as to reconcile him almost to the worst abuses of them—and the measures which had been proposed that evening, were, in his opinion, the only measures by which the House could hope to see the distress of the country relieved, and the people obtaining their subsistence once more by their own industry, without the compulsory aid of the law on the one hand, or the spontaneous benevolence of individuals on the other. He concluded by stating, that he must oppose the motion of the hon. baronet for going into a select committee upon this subject, because he was convinced that it could be productive of no good, and must be productive of much harm, by the excessive agitation which such an inquiry would excite in all parts of the country.

Mr. *Whitmore*, in explanation, said, that he had never asserted that the stock of corn on hand was so short as not to be sufficient to carry us on till the next harvest.

Mr. *John Williams* began by lamenting over the desperate condition of the country. He said he had listened with great attention to the speech of the right hon. gentleman who had just sat down, in expectation of hearing some measures of relief proposed; but, except at the concluding part of his speech, he had hardly alluded to this important part of the question. He had no doubt that the right hon. gentleman and his majesty's ministers felt great anxiety on account of the distress, and an urgent wish to improve the condition of the people; and he was surprised that they stopped where they had stopped, and had not brought forward some measure of practical and immediate relief. By the motion of the right hon. Secretary, and the motion of the hon. baronet, the House was placed in an embarrassing dilemma. If, on the one hand, they should adopt the motion of the hon. baronet, they would appear indifferent to the sufferings of the people; and if, on the other, they should vote with the right hon. gentleman, they would be lending themselves to the rash counsels of his majesty's ministers, that promised no immediate benefit. He had listened in vain to the speech of the right hon. gentleman who spoke last, and had heard no offer of consolation—no promise of immediate relief;—but he had heard a long and dry discussion of the question of the Corn-laws, at the very time that the right hon. gentleman was protesting against discussing that general question. The House here manifesting signs of impatience, the learned member said, he had no intention of detaining them at any length, but it was just conceivable, that when a great part of the subjects of the realm were dying of famine, the House of Commons should be willing to attend for a short time to the details of their distress, examine into its causes, and listen patiently to any member who should endeavour to shew what immediate prospect there was of finding a remedy to that distress. If it were indiscreet to go into the question of the Corn-laws fourteen days ago, he saw nothing in the circumstances of the country which made the agitation of that subject, as it had been discussed by the right hon. gentleman, now necessary. If the question were then unfit for discussion, it was not, at this time, more fit; and he objected strongly to allowing ministers, in the manner they proposed, to take the command of the Corn-laws, and deal with them as they pleased, without the whole question being previously settled by parliament. If this power were left in the hands of ministers, they would have the rental of all the landed gentlemen in the kingdom at their mercy, and it would be exposed to the hazard of their discretion till the next meeting of parliament. He thought, before legislating, inquiry was the safest mode of proceeding, and he should therefore vote for the motion of the hon. baronet.

Mr. *E. Wodehouse* wished to state, that he had always declared, both in that House and out of it, that he did not wish to leave the importation price at 80*s*., as that would be a famine price in the present state of our currency. He had assented last night to the motion of the right hon. gentleman, under the conviction, that it was not in any way to affect the principles of the present system. While he fully relied on those principles being maintained, he gave his ready consent to any measures which had for their object to give relief to the people. As to the report which had been made by Mr. Jacob, on which so much stress had been laid, he did not know which most to admire, the extent of that gentleman's capacity, or the credulity of others. A very superficial view of that report would satisfy every hon. member, that the author, in what he said of prices, knows nothing of Poland and Prussia. He knew as little also of what stock of corn was on hand; and, when he found gentlemen, who pretended to no personal knowledge themselves, confiding in persons who knew nothing, he felt himself bound to be as unrelenting in his opposition to their measures, as he was at other times happy to support them.

The House divided, when there appeared for the Amendment 82: against it 214.

The House having resolved itself into a committee,

Sir *J. Sebright* declared, that he would oppose the second resolution; because he considered that it involved the whole question of the Corn-laws.

Sir *T. Lethbridge* wished the right hon. Secretary would add 5*s*. to the 12*s*. which he proposed to affix as a duty on the corn in bond. ["No, no."] He would not press this point, as he saw it was against the sense of the House. He was disposed to support the first resolution, because he thought that it would be a palliative of the existing distress. He hoped, however, that the House would reject the second. He could consider that resolution in no other point of view than as an attempt to get rid of the existing Corn-laws. If the resolution should be agreed to, he was convinced that the ports would in future be open to the introduction of corn upon payment of a duty of 12*s*. If it should be carried, good bye to any future protection to the landed interest.

Mr. Secretary *Canning* observed, that the hon. baronet mistook the principle on which the duty of 5*s*. was added last year to the protecting duty of 12*s*. It was then proposed to add it to the 12*s*., for the purpose of preventing an unlimited influx of foreign corn when the ports should open, and of graduating, as it were, the supply. The application of last year's measure was undefined, an objection which could not apply to the present proposition; for they were already in possession of as much certainty as to the quantity to be admitted into the market as if an additional duty of 5*s.* were proposed. The duty of last year was 10*s.*; but the higher duty of 12*s.* was now resorted to, for reasons of which the hon. baronet himself seemed to be sensible; namely, from a wish to conform to the existing act, and not to the former regulation. Besides, the corn was last year allowed to come into consumption before the average prices reached that height which would warrant its being thrown into the market; and therefore he had, in fact, a right to come out without the payment of any duty at all. But the permission to come out at 80*s.* was compromised by the payment of a duty of 10*s.* a quarter. Although not strictly in order, perhaps it would be most convenient to follow the hon. baronet to his objections to the second resolution, which, in the present stage, necessarily had, on the face of it, no details of the limitations or restrictions subject to which the government were to permit, during the recess, the importation of foreign corn, but merely proposed to grant the power. Before this evening's debate he had not only no objection, but rather thought it would be a relief to ministers, to have some regulation adopted; and he still continued to have no disinclination to the limitation of the price at which the discretion of admitting corn was to attach to his majesty's ministers. Indeed, he saw no reason to be dissatisfied with the price of 65*s.* the quarter, suggested by his hon. friend behind him; and had no objection that the discretion of government should commence after corn had reached that price. He wished it above all things to be understood, that it was the full intention of his majesty's ministers not to draw into precedent the present arrangement on the general discussion of the Corn-laws; for he thought that it would be most unfair to take the duty of 12*s.* as an adequate protection, or the price of 65*s.* as the amount at which the ports ought to be opened, and thus prejudge, without inquiring the amount at which, for the future, corn was to be imported.

Mr. *Benett* objected to conferring the proposed power on ministers, not because he distrusted them particularly, but because it was a power with which no administration should be trusted. If, however, the committee should give ministers the power which they asked for, he would have it conferred upon them unconditionally; for, if the price of 65*s.* and the duty of 12*s.* should be given to them for their guidance, he felt persuaded that those sums would always be followed as precedents.

Mr. Secretary *Canning* remarked, that the very reason why no particular price had been fixed was to be found in the last observation of the hon. gentleman; namely, that the agricultural gentlemen would, if any particular price had now been named, look on it as implying the future price of corn. For his own part, he was not bigotted to either decision, and whether the discretion was unlimited or limited, he again assured the committee, that it would not have the effect of settling the general question. The present resolution did not enter into particulars; it regulated neither the time nor price, but simply conveyed the power.

Colonel *Wood* declared himself hostile to the second resolution, and hoped that ministers would not press it.

Mr. *Huskisson* said, that the question at present was merely, whether or not they would, by passing the resolutions, sanction the principle of the measures which had been proposed? If they did sanction the principle, it would be a matter of public convenience to assent to the resolutions on the present occasion. He saw, indeed, no sufficient ground of opposition, because many opportunities would be afforded hereafter to discuss the details.

The first resolution, "That it was the opinion of the committee that bonded corn ought to be admitted into the home market" was then carried. Upon the reading of the second resolution, "That it was expedient to empower the king in council to permit the importation of foreign grain when it was considered necessary,"

Lord *Milton* said, that he, in common, he believed, with many members, entertained considerable objections to this resolution, and thought that it ought not to pass, at least without further discussion. He therefore moved, as an amendment, "that the chairman do report progress, and ask leave to sit again."

The House divided; for the Amendment 109: against it 60: majority 49. Mr. Benett next divided the committee on the question, that the chairman do leave the chair—ayes 45: noes 122: majority 77. Mr. Benett expressed his determination to avail himself of every expedient which could retard a decision upon this important question at the hour to which the discussion had been prolonged. After some conversation,

Mr. *Canning* consented, most unwillingly, he allowed, to the hon. member's proposal of reporting progress. He could not, however, do so without declaring, that he considered the opposition displayed on the present occasion to be as unreasonable as it was inconvenient. The House then resumed, and the chairman reported progress.

HOUSE OF COMMONS.

Thursday, May 4.

CURRENCY AND THE CORN LAWS.] Lord Folkestone presented a petition from Paisley, setting forth,

"That it appears to the petitioners that, of all the subjects which have engaged the attention of the House for many years, there is none so important in all its bearings as that with regard to the Currency of the country; that the petitioners are of opinion, that the fatal consequences resulting from the circulation of paper money are now too clearly demonstrated to require particular enumeration; that from its very nature it is liable to be suddenly augmented and diminished in quantity; that such sudden diminution or augmentation is productive of the utmost embarrassment to the pecuniary affairs of the people among whom it is current; that, while the quantity is increasing, it creates and cherishes a spirit of imprudent speculation, subversive of the patient habits of sober and persevering industry; that the inevitable effect of contracting the circulation is a depression of the price of all commodities and of property of every description; hence ensue bankruptcies, misery, and starvation; the arm of industry is paralyzed; prudence, diligence, and honesty, are robbed of their reward, and all confidence between man and man totally destroyed; such, may it please the House, is but a very faint outline of the appalling picture which their unhappy country at this moment presents; that the petitioners are fervently anxious to impress upon the House, that the distress and wretchedness which the people of Scotland are now experiencing, on account of the drawing in of the base paper money, are absolutely indescribable; that, on this account, at least one third of the working population of that town have been thrown out of employment; and that, as no legal provision is made for their subsistence, their very existence is dependent on the precarious aid of charity; and the petitioners are apprehensive that, were the venders of that false money, which is almost the only circulating medium in that part of the country, called upon to pay their notes in the legal coin of the realm, the same deplorable occurrences might take place there which have been productive of so much misery in other parts of the united kingdom; for these and other reasons the petitioners are persuaded that the speedy introduction of a metallic currency throughout the whole kingdom is most essentially necessary, not only to restore domestic happiness, but also to preserve its existence as an independent state; that, although the petitioners are most desirous to see the fraudulent paper money superseded by a sterling gold and silver currency, yet they are decidedly convinced that this object cannot be attained without still further lessening the amount of the circulating money, by which operation the value of that which remains must be proportionally augmented, and therefore that it is obviously reasonable that an adjustment of all money contracts, a reduction of the government expenditure, of the taxes, and of the nominal amount of the national debt, ought at the same time to be made, correspondent with that increase of value; the petitioners do therefore humbly, yet urgently, entreat the House, to make such enactments as will deliver the people of Scotland, in common with their fellow-subjects, of the United Kingdom, from the scourge of a false and misery-producing paper money, and ensure to them the benefit of a sterling gold and silver currency, and at the same time to institute measures for a suitable reduction of every branch of the public expenditure, of the taxes, and of the nominal amount of the national debt, and also for making an equitable adjustment of all money contracts."

Lord *Folkestone* said, he would take that opportunity of asking whether any report might be expected this session from the committee of Inquiry, relative to the circulation of small notes in Scotland and Ireland; and also whether, if that report should be laid before the House this session, it was intended to bring in any measure founded upon it?

Mr. *Huskisson* said, he could only state, that the committee were still pursuing the inquiry. Whether, after the examination of all the evidence, they would have time to consider it in all its bearings, so as to make a report this session, was what he could not undertake to say. He could speak only as an individual member of the committee. He had been seldom absent from its sittings, but he felt it quite impossible to give any other answer than that which he had then returned.

Lord *Folkestone* assured the right hon. gentleman, that he had put the question merely for the sake of information, and in order to ascertain how the fact really was. The petition was one highly deserving of the attention of the House. The distress at Paisley and Glasgow was extreme, yet not a word was there in the petition to show that the petitioners laboured in the slightest degree under the delusion, that their sufferings resulted from the Corn-laws. The petition was important, not only for what it did state, but for what it did not state. Ministers, in his opinion, were deeply culpable for their recent conduct, which tended directly to foment the delusion respecting the Corn-laws. The noble lord stated, that if an apprehension had not prevailed at Paisley, that parliament was about to be dissolved immediately, and the petition had remained there a few days longer for signatures, many thousands more would have been added to it.

Mr. *Portman* wished that ministers would be content with the first resolution, relative to the admission of the bonded corn, and would refrain from pressing the second.

Mr. *Bright* called on ministers to proceed with the measures they had introduced, relative to the corn question. An alteration of the Corn-laws was become essentially necessary to the welfare of the country. Instead of shrinking from their duty, he trusted they would keep parliament together; and, as they had touched it, that they would now thoroughly investigate the whole question. It would be monstrous if parliament were to separate, without having provided for the first wants of the people.

Mr. *J. P. Grant* observed, that great attention was due to this petition. The manufacturers of Paisley were suffering as severe distress as any part of the kingdom yet not one single act of outrage had been committed there. He disagreed from them, however, as to several points. He was convinced that the result of the inquiry would be different from the opinions they had stated.

Mr. *Monck* agreed with the petitioners as to the danger of a paper currency. Sometimes the circulation was inconveniently contracted, and at others excessively extended. The country was now endeavouring to pay in gold what it had borrowed in a depreciated paper. This attempt was the touchstone that was trying the safety of every class of the community. The difficulties of the state were, he believed, never greater. It was undoubtedly desirable to adhere to the ancient standard, and he thought that, of the two evils, the least would be, to adjust our difficulties to our currency, instead of endeavouring to adjust our currency to our difficulties.

Sir *R. Wilson* defended the conduct of the majority who voted with ministers in favour of the proposed measures. The first measure seemed to have little opposition, but he thought the second, to which so many objections were made, not less necessary. Ministers, he contended, ought to have the discretionary power of opening the ports, in case of necessity. It was said, that if corn should rise to a famine price, ministers might do so on their own responsibility, and afterwards come to parliament for an indemnity; but such a course would have this disadvantage,—and a disadvantage, be it remembered, which would fall with most severity upon the agriculturists,—that ministers, in that case, must throw open the ports without any duty whatever, for they had no power to impose a tax without the sanction of parliament. In the measure proposed, provision would be made for letting in corn, upon the payment of duties to be regulated by the degree of necessity for opening at all.

General *Gascoyne* said, that, from the circumstance of many petitions not having been presented this session against the Corn-laws, it was not to be inferred that the people were indifferent to that question. If they had refrained from petitioning, it was because they considered it useless to do so, when it was understood no discussion was to take place. They viewed the proceedings of parliament, with reference to this subject, with the deepest anxiety. As it had been brought under consideration, it was his opinion that there ought to be a strict inquiry before parliament separated. He hoped that ministers would persevere in the measures they had introduced. He did not expect that, at that period of the session, the House would go fully into the corn question; yet it was of so much importance that something should be done as early as possible, that he wished the inquiry to be commenced immediately.

Mr. *Maberly* thought, that, if any change was to be made in the currency of Scotland, such alteration would prove ruinous to the country. If Scotland knew its own interest, it would cover the table of the House with petitions against such a measure. Indeed, with the exception of the present petition, and one from the town of Dunse, there seemed to be but one opinion on this subject all through Scotland.

Sir *F. Burdett* wished to guard himself against being supposed to acquiesce in the sentiments of the petition, or to concur in the doctrines which it contained. It put forth as an axiom, that which was extremely doubtful; and many of its conclusions were inconsistent one with the other. He, therefore, protested against letting that petition be considered as a manual of political economy on this subject. As to the question, whether the Corn-laws had been instrumental in creating any part of the present distress—he thought no man could have a doubt about it; but then, it was not in the manner which some gentlemen supposed. That distress was brought about by the recent interruption of trade; which circumstance must, of course, have had its effect upon agricultural produce. With respect to the question to which the petition related, whenever the noble lord brought forward the subject, he should endeavour to shew, that the conclusions contained in the petition were contradictory in themselves.

Lord *Folkestone* considered it a very sensible and well-argued petition, and on that score he would venture to say it was deserving of the serious attention of the House. He was well aware that numerous petitions had been presented on the other side; but this showed that the unanimity of opinion on this subject was not so great as had been represented; and, within the last two months, a considerable change had taken place in the opinions of persons in Scotland on this question.

Sir *T. Lethbridge* presented a petition from an individual named William Phillips, a corn-dealer, in the city of London, stating, that the petitioner was the holder of 4,000 quarters of wheat, which had been imported previously to the 15th of May, 1822, and on which a duty had been paid to government of 10*s.* per quarter; and that he had kept the wheat under the hope that it would arrive at a higher price, but that, owing to the measure now before the House, he was likely to sustain a very serious injury; and praying the House either that no alteration should be made in the Corn-laws during the present session, or that a proper compensation should be allowed to the petitioner for the loss which such alteration would occasion him. The hon. baronet said, he knew nothing of the petitioner, and the petition was certainly somewhat a singular one. The House would, naturally enough, be surprised that he should present a petition from a corn-dealer, but he felt it to be his parliamentary duty to present the petition of any man who might feel himself aggrieved. There was a strange kind of sensibility in these corn-dealers; and whilst he was on his legs, he would mention a subject which had come to his knowledge on the best authority. He understood that on Saturday last, before there was any declaration from the government of an intention to submit the proposition, of which notice had been given on Monday—before any one could have suspected that such a measure was in agitation, there was a considerable degree of activity in the trade of corn in the market of Liverpool. But he trusted the government had it in contemplation to set the question at rest altogether [cries of "No, no."]. He pressed it on the government to put an end to the subject, and for this reason.—The ministers had carried their proposition for unloosing the bonded corn, amounting to 3 or 400,000 quarters, and the effect of the discussions in that House had been already to produce a considerable stagnation in the corn transactions; so that no gentleman need apprehend any thing like high prices; at least, he was sure no man could entertain the idea of a famine price. He was convinced that none of the king's ministers had such an opinion; and if they had, it behoved them to lay the statements before the House on which that opinion was founded, and that might altogether alter the view of the case. If parliament were to be dissolved now, and a new parliament assembled soon after, it would be much better to throw the responsibility of the measure upon them, than invest the ministers with this power; which, although they asked, they said they did not desire. He was satisfied that ministers would not abuse that power, yet he should prefer that they had it not, and he was sure that this was the sense of the country; for, if ministers were to get this power, it would be to place at their disposal the value of every man's acre in the country, at least, of every man's quarter of corn. Ministers knew very well the quantity of corn in the country, and therefore they could not apprehend a famine price; and he trusted that, having carried their first point, and thereby satisfied one part of the country, they would abandon their second point, and satisfy the other. He hoped the right hon. gentleman opposite would state, that it was the intention of the government to put off the measure, not merely for the present evening, but sine die.

Mr. *Huskisson* said, that, as he should have an opportunity to-morrow of discussing this question, he would not now say one word on that subject; nor should he have risen at all, had he not been informed that the hon. baronet had, before he entered the House, made a statement which conveyed an insinuation that persons in Liverpool, if not in London, had received some early intimation of the measure which ministers intended to propose, before it had been brought forward in that House. And as, from his own connexion with Liverpool, he could not avoid concluding that such insinuation must have been directed against himself, he should not be performing a duty which he owed to himself, if he did not repel the charge with the utmost indignation, and most positively and unequivocally declare, that there was not the slightest foundation for it. Indeed, he defied any one to say, that any individual, either in London or Liverpool, had received the slightest intimation from him of the intention of government to bring forward this measure. He would state to the House the only circumstance that had occurred in the matter. He had received a letter about ten days ago, from two eminent corn-factors of Liverpool, and the proposition which that letter contained was, the propriety of allowing the distressed people in Lancashire to purchase the bonded corn, free of duty, for their own use. When he had received that letter, he had acted in a manner quite inconsistent with his usual custom; for he had declined noticing it, and from that hour to this, the letter remained unanswered. But he trusted those gentlemen would be satisfied with the reasons which induced him to abstain from so doing. Therefore, if there had been activity in the corn trade, either in London, Liverpool, or elsewhere, he challenged the hon. baronet, and the whole world, to produce a single expression, or intimation the most remote or indirect, to connect the change of the market in the slightest degree with any act of his.

Sir *E. Knatchbull* said, that the whole transaction had originated in a misapprehension; for it was impossible any man could believe that an individual of the high character which the right hon. gentleman held in the country, could be guilty of such conduct. But he must express his regret, that the government had felt it their duty, at this particular time, to agitate a question of so great delicacy that nothing but the most urgent necessity could justify them in bringing forward. He lamented the determination of government to bring forward the question to-morrow evening.

Mr. *H. Sumner* said, that he did not place the least reliance on the report which had reached his ears respecting the stir in the corn trade in Liverpool on Saturday last. At the same time, h must say, it appeared to him incompatibl with the discharge of the duties of tl President of the Board of Trade, to rep sent such an important commercial tow as Liverpool.

Sir *T. Lethbridge* begged to assure the right hon. gentleman, that he had not the slightest intention of making any such insinuation against him as he had supposed, though he must still declare his belief respecting the activity which prevailed in the corn-market at Liverpool on the day mentioned.

Mr. *Huskisson* expressed himself quite satisfied with the assurance given by the hon. baronet; but he had felt himself called upon, as a man of honour, to repel an insinuation which he had been given to understand had been thrown out. There was another remark made by the hon. member for Surrey, which he felt himself equally called upon to deny, namely, that it was impossible for him, holding the office he did, to represent the town of Liverpool. He repelled that charge also. He would tell the hon. member for Surrey, that he was as independent a member of that House as himself.

Sir *F. Burdett* said, he had heard the remarks of the hon. baronet, and was so far from having had the slightest suspicion of the imputation which the right hon. gentleman supposed, that when he rose to repel it he was quite surprised.

Mr. *Brougham* said, he was quite satisfied at the explanation given by the right hon. gentleman; but was not surprised at the indignation with which he had risen to repel the accusation. Nothing could be more satisfactory than the denial; and it appeared to him, that if such a charge was to be preferred, the situation of the right hon. gentleman would be one of extreme hardship: for the right hon. gentleman was placed in circumstances which precluded the possibility of his having made any communication on the subject; and for this simple reason, that on the very day alluded to, it was made a matter of charge against the right hon. gentleman, that, in truth and fact, he himself knew nothing at all about the matter. So far from there having been any decision on the question, neither the right hon. gentleman or his colleagues seemed to have had the slightest concert or deliberation; for they came down to that House, and submitted, as a matter of the greatest importance, a question, of which forty-eight hours before they had not the slightest intention. Before he sat down, he wished to offer an explanation of the vote he had given on a former evening, which was misunderstood by an hon. and learned friend, whom he did not now see in his place. It had been supposed, that they who had voted in the majority were desirous of stopping all inquiry into the distresses of the unfortunate sufferers in the North. He could only say, that as far as his vote went, and that of those who habitually acted with him, nothing could have been further from their thoughts; but, had they voted for the resolution of the hon. baronet, it would, in fact, have had the effect of getting rid altogether of the general measure, to which they attached the highest importance. They regarded even this partial measure as calculated, if not to mitigate, at least to guard against the increase of the existing distresses. Had he voted in any other way than in the majority he should have been guilty of gross inconsistency; but how the consistency of the gentlemen opposite could be made out, was a question with which he had no concern. On the 18th of April he and his friends insisted on the necessity of some measure respecting the Corn-laws, to establish fixed duties, and get rid of averages, in order to prevent the corn-dealer, the farmer, and consumer from being in a state of uncertainty. This measure was the next best thing to that which he and his friends desired, and therefore it was that they had given it their support.

Mr. *Benett* said, that his hon. and learned friend had given a good explanation of his vote, but he thought it would require all the ingenuity of the right hon. gentlemen opposite to explain away the inconsistency of their conduct.

Mr. *Peel* thought, that he should sufficiently answer what had fallen from the hon. gentleman by observing, that the measure proposed by the hon. member for Bridgenorth was intended to be a permanent one; whereas, the measure now proposed by ministers arose out of a case of necessity, and was only intended as a temporary expedient.

Sir *J. Sebright* gave it as his decided opinion, and also as the opinion of all those with whom he had conversed on the subject, that, if this measure should be adopted, the Corn-law question would be settled, and that we should have the ports open at a duty of 12*s.* His own view of the Corn-laws did not differ much from that of the right hon. gentleman. He did not at all approve of them. He thought them prejudicial to the country. He wished to see the ports open at a fixed duty. As to what should be the amount of that duty, perhaps he might not agree with the right hon. gentleman. Ministers had been praised for their decision. It had been said, that nothing on earth should induce them to make any alteration in the Corn-laws this session; but the burning of a few looms had caused them completely to change their tone. Where was now their boasted resolution? For his own part, he made no scruple of saying, that he did not consider 12*s.* a sufficient protecting duty.

Lord *Althorp* said, that he had, at one time, in common with the President of the Board of Trade, and others, considered the present session an unfit time for the discussion of the great question connected with the importation of foreign grain. But, after what had been already said and done with regard to the question, and when the House was actually, after all their declarations, in a committee on the Corn-laws, he could not continue to abide by that opinion, but would, notwithstanding the late period of the session, earnestly recommend them to settle the question at once, and abandon all temporising and partial propositions. He disagreed with the hon. baronet (sir T. Lethbridge) as to the nature of the course to be pursued; but he agreed with him most sincerely, that the matter ought to be set at rest as soon as possible. When it had been mooted so plainly, such a course would be most satisfactory to all parties; and he for one would vote against any temporary measures, in the hope that they might be able to secure a permanent arrangement.

Lord *J. Russell* agreed with the noble lord as to the propriety of some such resolution. What they wanted was, steadiness in the conduct of government; and that would soon give steadiness to the laws affecting agriculture.

Mr. *Whitmore* said, he did not wish to prolong the discussion, but he thought it important to observe, that whoever might suffer from a change in the Corn-laws, the petitioner, at all events, had no reason to complain. When the permission of taking out bonded corn, upon the payment of ten shillings, was given last year, it was with the understanding, that the question of the Corn-laws was to be decided during the present session; and, therefore, if he was to suffer from any change in the laws, he could not say now he had not received sufficient notice of the alteration.

Ordered to lie on the table.

STATE OF THE NATION.] Mr. *Hume*, in rising to submit to the notice of the House a question so important and so complicated as the present state of the country, claimed a very large share of their indulgence. On former occasions the subject had been introduced by individuals whose talents and consequence entitled them to attention; but, as he possessed no such claim, he would crave the favour of their patient indulgence while he laid before them those statements of which he had given notice more than two months ago. On other occasions the object of such motions had been, to remove, by the consequences of the votes of the House, those ministers whose conduct was impugned in the Resolutions they were called upon to adopt. He disclaimed, however, any such intention. The resolutions were worded in the manner he thought fittest to convey the full sense of his view of the subjects they embraced; but, as far as his majesty's present ministers were concerned, although he regretted they did not go to the full extent of what he considered necessary with regard to the expenditure of the country, yet he had no desire to procure their removal from office. On the contrary, he gave them credit for the liberal course of policy which had lately distinguished their administration; and had, he believed, on every occasion, save and except those connected with the public expenditure, given them, this session, his earnest support. He had, however, for a considerable time, taken a view of the country very different from that which seemed to guide their policy, and which induced them to continue imposing a rate of taxation much greater than our resources enabled us to bear. His desire now was, to remove from their minds the erroneous impressions they had taken up on that subject, and to show clearly to them, and to the House, that the course which they were pursuing would, if not checked, bring ruin and misery upon every class in the kingdom.

By the courtesy of the Treasury, he had been enabled to gain access to the documents which were necessary to illustrate his argument; and, the result of his inquiries being printed, could be had at the Vote Office, by any individual who felt himself interested in the subject. It was his purpose to go into an inquiry on every thing contained in these statements, except that part relating to the Sinking Fund, which he considered so important, and so intricate, that he proposed to leave it for future investigation, when it could be taken without being mixed up with any extraneous matter. His object would be, to show what would convince the House that the rate of taxation was attended with such injurious consequences, and produced laws so unequal, as regarded commerce and agriculture, that it was impossible those engaged in them could enjoy prosperity, or go on flourishing together. There was, in fact, something wrong in the system; and, although some said they owed their misfortunes to the regulations upon the currency; some to the state of the Corn-laws; and some to the measures adopted with respect to commerce, he hoped, without denying that there might be some truth in these assertions, to satisfy the House, that their distresses proceeded from errors in all these subjects taken together.

For the first part, the currency—he could say boldly, that ministers had done very great mischief in their late measures with respect to the system of banking. They had, in all their regulations, confounded the principles of currency with the principles of banking, and been led by that mistake to do infinite mischief. In order to show the course which, in his opinion, ought to be adopted, he would begin by pointing out what was the cause of the evils; and they would then better understand the remedy. He should, at the same time, he hoped, remove the impression which prevailed upon the subject of the taxation under which they now suffered, and which was greater than had ever been borne by this or any other nation, at any period of history.

He would begin by taking, for the illustration of his subject, the period from the 1st of January, 1817, to the present time; although the chancellor of the Exchequer had, for what good reason he knew not, drawn his comparisons first from January, 1816, to 1823; and at another time, from 1819 to the present period. He could not, he repeated, understand why this was; but he proposed to take his comparisons from the 1st of January, 1817, because that was the period when the Exchequer accounts were freed from that obscurity which had been so long a disgrace to the country; for, when the accounts of England and Ireland were balanced together, there could be no question that it was utterly impossible for the most practised accountant to understand them. Up to the appointment of the present chancellor of the Exchequer, it seemed, indeed, as if obscurity was considered a virtue in the Exchequer; and he had no doubt that, in many cases, it was thought meritorious. He would take, therefore, as the commencement of his statements, that period at which a new and a more intelligible system was said to be introduced—the period of 1817; from which period it was said that a system of finance was to be adopted which would hold a prospect of relief to the country—a system to be understood by every person with ease, and one that would at once materially diminish the burthens which the country, through the long struggle which had gone before, had sustained, and which would enable it to bear those burthens, should any great emergency require it.

The first resolution which he would submit to the House, was one negativing the assertions of the chancellor of the Exchequer on the 23rd of March, 1823, that there had been effected a reduction of 24,766,250*l.* in the capital of the funded debt, from the end of the war to January, 1823; and, again, that there was a further reduction of the public debt of 18,401,000*l.* between January, 1823, and January, 1826; making together a total reduction of 43,157,520*l.* in the capital of the debt since the war. After noticing a mistake which had crept into the accounts of 1816, where the amount of the interest of debt is made 31 instead of 29 millions, he proceeded to call the attention of the House to the manner in which it had been attempted to be made appear that there was a reduction of 40,000,000*l.* in the capital. Taking this period of nine years, he was prepared to show, from reference to documents, which would show the real state of the question, and on which he would put no construction, either favourable or unfavourable, to the particular views which he might entertain, that these documents only showed a decrease to the nominal amount of 27,327,780*l.* This would appear from the following statement:—In 1817, the public debt of the united kingdom, funded and unfunded, was 846,565,078*l.*; this total was made up of the funded debt; the amount of which was 796,200,191*l.*, and the unfunded debt, of which the total was 50,564,787*l.* The total capital of the funded debt on the 5th of January, 1826, was 778,128,268*l.*, and the total unfunded debt 41,309,030*l.*, thereby making the total funded and unfunded debt 819,437,298*l.* The result would then be:

Total Debt, 5th January, 1817 ..	£846,767,078
Do. 5th January, 1826 ..	819,437,298
Decrease	£27,327,780

Having stated the amount of the decrease in the capital, he would next proceed to an important consideration—the reduction which had taken place in the charge of the debt. The charge of the funded debt, as it stood in 1817, was in round numbers, 27,870,000*l.*; and in 1826, it was 27,679,000*l.*, and the charge of 50,564,787*l.* of unfunded debt, on the 5th January, 1817, estimating the English bills at 4 and the Irish bills at 5 per cent per annum, was 2,051,242*l.* On the 5th of January, 1826, the charge on the reduced unfunded debt was 1,256,482*l*., making the total reduction of annual charge for funded and unfunded debt, of 2,985,757*l*. Of the aggregate amount of the capital of the public debt, there had been effected a reduction in the proportion of 18,072,023*l*. in the funded debt, and a diminution of the unfunded debt, of 9,255,757*l*.; and further, that of the 18 million of funded debt reduced in the nine years, the capitals cancelled amounted to 694,285*l*. which left only 11 millions of funded, and 9 millions of unfunded debt, which left an aggregate reduction of only 20,393,495*l*. This appeared from the capitals cancelled, which, without reference to loans, were cancelled for life annuities; 5,730,212*l*. for land-tax redeemed 805,992*l*.; unclaimed, and purchased with unclaimed dividends, 185,452*l*.; 5 per cents paid off 82,840*l*., and by transfer of capital from England to Ireland, 129,789*l*., which gave the amount he had stated at 6,934,285*l*. The hon. member then went through an elaborate calculation, showing that by the imperial annuities, which had expired, by conversion of 5 per cents into 4 per cents, and for dividends on capitals cancelled on 3,807,113*l*. of 4 per cents, dissentients discharged from the unfunded, and added to the funded debt, the total reduction of the charge on the unfunded debt was only 2,242,716*l*. After all that had been stated respecting the great reduction which had taken place in the annual receipt of taxes, it appeared from the public account, of the nine years which he had taken as the period of his calculations, there was very little variation in the receipts of these years, as would appear from the returns of the following years:—In 1817, 57,650,589*l*. In 1818, 59,667,911*l*. In 1819, 58,680,252*l*. In 1820, 59,769,680*l*. In 1821, 60,675,075*l*. And so on in nearly proportionate amount to 1826, when the annual receipt of taxes amounted to 58,369,801*l*., making a total of 531,266,535*l*. The hon. member proceeded in a detail of all the expenses of these years; of the debt funded and unfunded, total expenditure of the excess of taxes, or real sinking fund, and of the nominal sinking fund, charged by the Treasury to purchase debts, pay annuities, &c. He particularly called the attention of the gentlemen connected with the landed interest, to the excess of taxation; and he could not forbear from censuring that body, and from thinking that they merited to be visited with some pressure, for not having laboured more assiduously than they had done, to procure a reduction of taxes. In this excessive taxation more than in any other cause, would be found the real source of the distress of the country.

The hon. member proceeded in a detailed statement of the amount of revenue derived from taxation—the amount of expenditure in the last nine years—the amount paid for civil and military establishments—the surplus of revenue applicable in each year, applicable to the reduction of the national debt, &c., the substance of which is embodied in the subjoined resolutions.

It was now acknowledged generally, that Mr. Pitt's ideas of a sinking fund were erroneous and delusive, and that it was utterly impossible for the country to derive any benefit from a sinking fund founded upon the principles of that statesman. The term sinking fund was a fine sounding word; and Dr. Price had computed, that the interest accruing upon the principle of Mr. Pitt's sinking fund, would sweep away the whole of the national debt; but those who attempted to comprehend his delusive statements would find themselves bewildered in a maze of erroneous, or at least of impracticable, principles. Mr. Pitt understood the degree of knowledge, as well as the spirit of compliance, possessed by the House of Commons, and he had talked to the House upon the sinking fund, as if he had discovered a mine of wealth, which was to relieve the country from that debt, which would otherwise overwhelm it. In 1825, he had expressed an opinion on the subject, which he now wished to support. The summary of that opinion was, that no nation could, in the nature of things, derive any pecuniary benefit by its inhabitants trading solely amongst themselves. This he laid down as a primary principle, and the necessary deduction from that principle was, that the sinking fund being a system established solely between the people of this country, and having no relation whatever to their transactions with foreigners, all ideas of the people benefitting by the system were fallacious and delusive. If two persons of this country exchanged their commodities—wheat for barley, for instance, it appeared obvious to him, that benefit from such a transaction could arise only to one of the parties. One individual must lose what the other gained; both could not gain; and therefore the country could not derive any benefit from the transaction; it was merely a transfer of advantage from A to B, and no creation of any benefit. In this point of view, the sinking fund could not be of any benefit to the country at large. A small state, like Genoa, might buy up the securities of another country, and receive upon them larger than the market rate of interest. In this case, the state effecting the purchase would be the gainer; but, as long as the securities of a state were confined only to the market of that state, all transactions in such securities could only effect a transposition of benefits between individuals. The community, on the aggregate, could neither gain nor lose. But the charge of management upon the sinking fund was by no means trifling. He would show, that from the years 1794 to 1817, the loss to the nation by this charge, was no less than 35,000,000*l.* He meant to say, that the country had, within that period, sustained the heavy loss of 35,000,000*l.*, by the public dealing with their own securities. Some gentlemen had maintained that the sinking fund tended to the support of public credit; but he would most positively deny the position. He would maintain, both upon abstract principles and upon the obvious transactions of finance, or of business in general, that public credit could be maintained solely by a surplus of money in the market. The system which had been pursued by government, from the year 1793 upwards, was, to borrow not only what was wanted, but double what was wanted, in order to buy part of the loan back again. Through the whole twenty-four years, from 1793 to 1817, it was proved, by the resolutions upon the table, that the government had borrowed, on an average rate of five per cent interest, and the whole of the money so borrowed they had redeemed at the rate of four per cent; or, in other terms, there had been an average loss for twenty-four years of one per cent on the sum of 200,000,000*l.* This system ought to be put an end to; not only on the ground of the loss which he had just pointed out, but in order to check the spirit of speculation, which it had engendered, and carried to the highest degree. The complicated system of this sham sinking fund had given rise to all the speculations; and the government having originated the evil, ought to be the first to suppress it.

In the year 1822, he had opposed the bill brought into the House, to establish what was now called the dead weight. The term was very appropriate; for never had any country a weight to sustain so disproportioned to the object for which it had been opposed. It was the disgrace of every individual who had sanctioned it; and the terms of reprobation in which it was held by all parties, reflected the highest disgrace upon its father and proposer, Mr. Vansittart. This scheme was to borrow 5,000,000*l.* a-year, to establish a fund, for the country to repurchase their own debt. This was the plan of the predecessor of the present Chancellor of the Exchequer, who had, so inconsistently with this scheme, struck off, at one blow, 20,000,000*l.* of the sinking fund, because he had found it a sham instead of a real sinking fund. This dead weight scheme had sunk all the superfluous revenue of the country. It was obvious that nothing but a superfluous revenue, or an excess of revenue over expenditure, could effect any real purchase of the public debt. Every penny added to the sinking fund must increase the amount of some other debt upon the country; and no relief could be given to public credit by the present system. In the year 1819, the chancellor of the Exchequer, pursuing his old confused and fallacious practice, had required a loan of 24,000,000*l.* The gentlemen composing the monied interest, who intended to prepare their lists according to the usual custom, made their arrangements upon the datum of this large loan. According to the common practice upon these occasions, they had prepared their money the day before, and which, of necessity, had the effect of depressing the price of the government securities in the market. Every man was obliged to sell a certain portion of such securities, in order to make his purchase, and three or four competitors had sold such immense sums, that the price of the funds was very materially diminished. It must be recollected, that the price of stock, the day before the offers are made by the contractors, forms the datum, or rate, upon which the bargain is calculated. Now, an hon. friend of his had said to the chancellor of the Exchequer in the interim, "Don't borrow this immense sum of 24,000,000*l.*, but take part of it from your sinking fund; the result will be the same, for your sinking fund system is nothing but mere delusion, it is all moon-shine." The chancellor of the Exchequer adopted the suggestion, which threw dust in the eyes of the contractors. The three lists had made the offers at about 65, but as soon as the chancellor of the Exchequer said that he no longer wanted 24,000,000*l.*, but that 12,000,000*l.* would suffice, the same individuals raised their biddings to 68. Three and a half per cent was saved to the country by Mr. Vansittart's giving up his absurd and visionary scheme, and adopting the hint of his hon. friend. It made a difference to the public of no less than 3,300,000*l.* He need not say, that whether the chancellor of the Exchequer had proposed one or the other of these two schemes, he would equally have had the support of the House; although the one scheme was sensible, and the other was the very depth of folly. Every pound raised by loan to add to the sinking fund would have a similar effect on the finances of the country. The sinking fund, up to the year 1817, had added no less than 2,000,000*l.* to the debt.

He hoped he had stated enough to induce the House to give him a hearing upon a future occasion, when he should demonstrate the necessity of abolishing the sinking fund. The country could not expect to see any reduction of the debt, until it was relieved from this sinking fund. It was not until lately, and even at present, no man could make up an account from the finance returns, without essential differences and errors. He regretted the manner in which the public accounts were kept, or rather mistified. He and his hon. friend, the member for Abingdon, had sat in the committee upon this subject, and they had recommended a better mode of keeping the accounts of receipts and expenditure. France, and every other country that published its accounts to the nation, always did it in a plain, intelligible manner, England was the only exception. The chancellor of the Exchequer had resisted the recommendation of the committee; saying, that he would, ere long, have an improved plan of his own. But no such plan, had yet been brought forward. The usual doctrine was, that the system worked well, as long as nobody complained; but, on this point, complaints were numerous and reiterated, and had even proceeded from a committee of the House. Why should the government object to making up the public accounts in an intelligible form? The next resolution stated that, in nine years, there was a disposable surplus revenue of 45,000,000*l.* exclusive of the annuities. By this calculation, he had only 20,000,000*l.* He asked what had become of this surplus of 25,000,000*l.* for he found no such deduction in the accounts, either under the head of capital or charge? This remained to be explained. The product of the sinking fund was 141,000,000*l.* and the system had occasioned a loss of 6,000,000*l.* He particularly begged the attention of the House to what he was about to state. By the finance account [appendix G. No. 2] it would be found that the neat charge for the debt, funded and unfunded, on January 1st., 1817, was 32,000,000*l.* In 1817, there was no surplus revenue, and there could be no deduction of debt. But in that year 11,710,400*l.* Exchequer-bills had been funded, creating an additional funded capital of 15,000,000*l.*, and an additional annual charge of 449,000*l.* The previous annual charge had been 468,000*l.*: the reduction made this difference of 19,000*l.* per annum. In 1819, there had been an excess of revenue of 1,173,000*l.*, in 1818 an excess of 1,764,000*l.*. making in both 2,937,000*l.*; but there being a deficiency of revenue in 1817, of 948,000*l.* leaving, in the balance of the three years, a surplus of 1,989,000*l.* equal to 2,763,000*l.* three per cents, the funds being at 72. The charge was, therefore, reduced to 31,504,000*l.* The charge on 1st January, 1826, had been only 28,596,000*l.* Thus, from 1816 to 1819, the result of all the operations of finance was only a deduction of charge upon the debt of 2,908,000*l.* By the operation of the dead-weight fund, the country had lost upwards of 2,000,000*l.* This had been prognosticated by a right hon. member (Mr. Tierney) at the time of its adoption. In order to give an example of the delusion of this dead-weight fund, he would only state the balance of income and expenditure. The military and naval pensions amounted to 4,507,000*l.* per annum, and 2,800,000*l.* was paid by the Treasury, to this account. At least, so the account was fabricated; but, in point of fact, the Treasury had paid to the Bank only 580,000*l.* So absurdly were our accounts made up, that, year after year, the gross sums were put down, when, in fact, the country paid nothing but the balances. Thus, in the government accounts it would happen, that not a single sum that they contained in the debtor and creditor sides had ever passed between debtor and creditor. This was an instance of the shameful complication which existed in the public accounts. This mode of keeping the dead-weight account had been introduced by the then chancellor of the Exchequer, Mr. Vansittart; and, shameful as it was, the Speaker of the House of Commons and the present chancellor of the Exchequer were the trustees. There was no account kept of the officers or pensioners; the whole was a scheme put forward by the late chancellor of the Exchequer under the pretence of its being an army and navy pension scheme, when, in fact, it was nothing more than a modification of the old system of the sinking fund. The stocks were now at about the price at which they had been when Mr. Vansittart had brought forward this now reprobated plan; and the present was a favourable opportunity for the chancellor of the Exchequer to put an end to the imposition. The Bank ought to be as anxious to get rid of this disgraceful delusion as the government. So disgraceful was the whole transaction, that between the 5th April, 1823 (when the scheme commenced), and the 1st of June, 1826, there had been paid on this account, by the government, only 6,600,000*l.* whilst the sum set down as paid in the accounts was 20,000,000*l.* In 1821 he had proved to the House, that from 1792 to 1817, the nett revenue of Great Britain, exclusive of loans, amounted to 1,126,000,000*l.* whilst the total expenditure, within the same period, had been 1,533,000,000*l.* No wonder that our debt had increased. The nett balance of expenditure over receipt was 393,000,000*l.* Instead of borrowing the sum of 393,000,000*l.* to cover this deficiency, the government had borrowed 619,000,000*l.* The difference had been raised upon the principle of the sinking fund, and the effect had been to raise the price of the funds at the period when the government had to purchase them. Adverting to the appropriation of public money, he maintained, that all the surplus revenues of the country ought to be employed in the purchase of long annuities, and that no balances should be allowed to remain in the hands of ministers. He hoped he had succeeded in showing the House that the whole of our sinking fund system was erroneous and injurious. This country was now in such a situation, that our commercial, manufacturing, and agricultural relations, required the utmost attention. Here a strange anomaly took place: while the quantity of our exports increased annually, their real value was annually decreasing; and while the price of every sort of labour was growing less, in reference to the people's means of subsistence, our national expenses were not decreasing in the same proportion. This might be seen by reference to the returns before the House; care being taken that hon. gentlemen were not misled by the mode in which the accounts were stated. There were two columns referring to value in the returns of exports; one showing what was called the "official value," which was deduced from the quantity of goods, and the other the "declared value," which contained the amount (with reference to price) actually set upon them. Now, of thirteen of our chief articles of export, the average "official value" for the years 1814, 1815, 1816, was 36,562,367*l.* and the "declared value," 44,476,519*l.*; for the years 1823, 1824, and 1825, the average "official value" showed an increase, being 45,880,927*l.*; but the "declared value" what was that? Only 36,782,938*l.*, being a diminution exceeding 25 per cent., after allowing for the difference in the value of money at the two periods. Here the hon. member went into an explanation of the difference between the declared and official value, the latter of which was a more arbitrary value. He also called the attention of the hon. member for Grampound (Mr. Robertson) to a table of the value of imports and exports, drawn up by Mr. Moreau; for that hon. member thought that the great quantity of our exports was the cause of our late embarrassments. By this table, the value of our imports from all parts of the world, except Ireland, in a certain period, was 51,000,000*l.* while our exports in the same time amounted to 79,000,000*l.* This left a difference of twenty millions; and the country was so much the richer, for so much was reproduced to it.

He would now come to his twenty-ninth proposition. The Finance committee of 1817 recommended as near an approximation as possible to the establishments of 1792; yet our taxes, in 1825, exceeded fifty-eight millions, which was treble the amount of 1792; and our civil list, naval and military establishments, with the civil government expenses (exclusive of the charge for the debt) exceeded twenty-six millions, which was fourfold the expense of the same establishments in the year 1792. That due regard was not paid to the recommendations of that committee, would be made appear, by reference to the increase of pensioners, sinecurists, and country gentlemen. He considered country gentlemen not worth one farthing, in the scale of production. All those receiving pay and pensions were unproductive. He regarded only the man who guided the plough, the man who delved at the spade, him who wielded the hammer, him who threw the shuttle—these were the productive classes, and not the country gentlemen. The country was now saddled with three pensioners for the one we had in 1792. We had now three sinecurists, three idlers, for the one of 1792, while our working and productive people were scarcely able to live. This was a subject for the House to consider. This was a subject for the chancellor of the Exchequer. He would come, by and by, to that right hon. gentleman. He begged the House to attend to the recommendation of the Finance committee. He only asked to go back to the year 1792. The right hon. Secretary for Foreign Affairs, the other night, in reference to the office of treasurer of the Navy, asked the House to go back to 1780. Now, he would not take them so far back. He begged their serious attention; for he was now coming to the important part. What he had hitherto addressed to the House was a necessary preamble to what he had to say. A reference to the great amount of the civil list, to the number of pensioners, sinecurists, and highly-paid placemen, to the unnecessary number and expense of the army, navy, ordnance and civil establishments, would sufficiently prove, that a due regard was not paid to the recommendations of the Finance committee of 1817. The hon. member read the names of the members of that committee, and said it was imperative on the House to demand an immediate reduction of taxes, in conformity with their recommendation; and, as the best means of relieving the country from its embarrassments. He had often before taken pains to impress this recommendation on the House; but he was met with the assertion, that a reduction of taxation had taken place to the amount of 27,000,000*l.* since the termination of the war. These assertions were delusive and fallacious; and he would prove them to be so. He would extend his computation over 1813, 1814, 1815. The money amount of taxation raised in those three years, which showed the largest receipt of any years during the war—the average amount of taxation raised in each of those years was 69,000,000*l.* By the reduction of the property-tax in 1816, there was a loss of 14,000,000*l.*, and that, with other deductions, made 18,000,000*l.* entirely. The chancellor of the Exchequer of the period took credit for a reduction of taxation to the amount of 23,000,000*l.* in 1819. Now, that was a complete delusion; for the same sum of money was taken out of the pockets of the people then, but he allowed, in a better way, and he gave government credit for spreading the burthen more equally. He contended, then, that, although nominally the amount of taxes was less since the war, yet, by the change of currency, the actual amount was the same or more than in that period. Thus, in the years 1823, 1824, and 1825, there was more real money paid in taxes than in 1816, 1817, and 1818. The nett amount for the first three years was 51,000,000*l.*, for the last 52,000,000*l.* taking into account the difference in the prices of gold. He had moved for returns of all monies paid to the public account by taxes or import and export duties in the year 1820. Had this paper been produced, it would have demonstrated whether or not there had been any real reduction in the burthens of the people in that year, as compared with any other during the war. It was assumed by the chancellor of the Exchequer, that a reduction of 3,000,000*l.* had taken place. But was this so? The highest amount of taxes paid in the years 1813–15, on the average of three years, was 69,010,227*l.* nominally, or in paper convertible into gold at an average of 5*l.* per oz., very much above the standard value of that metal, and amounting really to 53,741,714*l.* (gold 77*s.* 10½*d.* per oz.), whilst that of the last three years, from 1823 to 1825, was 52,430,765*l.* (gold 77*s.* 10½*d.* per oz.), it would appear that the real diminution of taxation was only 1,310,949*l.* Let these monies be tried in another way by the price of wheat, which by some had been called (though he did not agree with them) the true standard of value. On an average of the years 1813—15, the annual taxes would buy in wheat 15,853,926 quarters at 80*s.* 9*d.*, the average price of that period; whilst the money amount of taxes, on an average of three years, 1823—25, was equal to 17,434,546 quarters at 60*s.* 2*d.*, the average price of that period. Taking, therefore, any standard, either the price of gold, the value of commodities exported abroad, or the products of industry, it would appear that in every year since 1817, this country had been paying 2¼ per cent more than in those years of the greatest possible taxation. He would ask, then, whether the House could be any longer at a loss to account for the present distressed condition of the community? Was it not sufficiently explained by facts which he had stated, and to which this House and the country seemed so long to have closed their eyes? Instead of 24,000,000*l.* of relief, said, by the minister, to have been given during that period, not only was no relief given, but an addition made to the burthens of the people. These burthens had increased one fifth, or twenty per cent more than in the highest periods of the war. This was an important and an alarming discovery. Gentlemen might now see what hopes they had of the period when the debt of this country was to be paid off; and every man in this House ought to be convinced that, instead of permitting the overgrown establishments to exist, the pruning knife should be extensively applied to them. If the House would preserve public credit, or keep their word with the public creditor, the system must of necessity be altered.

He now called attention to resolution 39, in which it was demonstrated, that the continual taxation had increased the distresses of the labouring classes, by contracting the consumption of the articles of luxury. It was of importance that the House should understand the real object of this resolution. A noble lord in another place, and the chancellor of the Exchequer here, had asked the continuance of taxes on the ground of the great increase which had taken place in the consumption of exciseable articles. He was unwilling to misrepresent these right hon. gentlemen, and he would therefore let the chancellor of the Exchequer speak for himself. He should premise, that he approved of the striking of averages; for he did not wish to draw conclusions from isolated facts. He was now about to read, from a printed report of the chancellor of the Exchequer's speeches. In opening his budget of 1823, the right hon. gentleman said, he held in his hand returns of the consumption of exciseable articles for the last three years, enumerating candles, soap, tobacco, &c., of all of which the consumption had greatly increased. He then asked, "is this increase no symptom of the flourishing state of the country?" &c. Be it observed, that the three years immediately preceding those taken by the right hon. gentleman were years of great depression. The next year, the right hon. gentleman, at the conclusion of his speech, invited parliament to contemplate the flourishing state of public affairs, when content and prosperity went hand in hand, and ended with an eulogium upon "blessings dispersed from the ancient portals of a constitutional monarchy." Thus was the country deluded from year to year by false statements. In 1825, the right hon. gentleman vaunted in the same way the increase of the revenue, and expressed his gratification, that the people were so easy under their burthens, inferring from the increase of the revenue the increase of the comforts of the people. But he did not then let the opportunity pass of reminding the right hon. gentleman, that his conclusions were drawn from wrong data, and that, if the people really were in the condition he described them, the grinding taxation would soon reduce them to penury and distress—a prophecy which had unhappily been but too well verified in the result. By the influence of that taxation, the labourers and their employers were now in a worse condition than ever. But, were things more desperate now than in March last, when the chancellor of the Exchequer urged the consumption of exciseable articles as a ground for increasing the taxes?—Certainly not. The right hon. gentleman then produced a list of thirty or forty exciseable articles, in all of which he asserted the consumption had increased. Now for these articles, imprimis malt. This article was said to be capable of bearing the existing duties, because, as compared with the duties of 1816, there was this year a diminution of fifty per cent. This conclusion could not be supported by facts. We complain of the addition to taxation—the chancellor of the Exchequer replies, "the consumption of the article increases—ergo, our prosperity increases; and this is the best answer." Now, had malt increased? In appendix I he had made a calculation of the consumption, by which, so far from the consumption increasing, there had been a decline in the Excise duties of forty per cent upon this article. These calculations applied only to England and Wales; for the returns as to Scotland were incomplete. On an average of ten years, the average annual consumption of malt, from 1785 to 1804 was 25,751,775; from 1805 to 1825 was 25,246,940; making an annual decrease of 504,835 bushels; or forty per cent, instead of an increase of fifty per cent, as the right hon. gentleman would make the House believe. In fact, the right hon. gentleman's calculation was made in the most unfair and uncandid way. In taking his averages, he took for one sum the year of the greatest depression, 1816, and compared it with 1825, a year of the greatest excitement, and when a stimulus was given to public measures by the creation of artificial capital. He (Mr. H.) had formed his statements in a fairer spirit.

The next consideration was, the rates of duties in the same two periods; for his argument was, that in the ratio that you increase duties, so do you diminish consumption. He should show that, from the operation of the high duties in diminishing consumption, the aggregate amount was not so productive as a reasonable duty would have been. He had no doubt, but that if the country gentlemen could be prevailed upon to vote with him in reducing the establishments, and bringing back the duty on malt to what it was in 1784, instead of an annual consumption of 25,000,000 of bushels, it would be 40,000,000, and that the comfort and ease of all classes would be increased. But, if a comparison of the consumption of malt in 1825 (a year of great excitement) be made with some other single years during the last forty years, a greater consumption would appear in the years 1792, 1797, 1799, 1803, and 1821, than in 1825, as might be proved by this table:

1792	28,661,374
1797	30,923,414
1799	31,751,645
1803	30,479,202
1821	28,697,057
1825	28,553,399

This proved that there had been a decrease in the consumption of 40 per cent; whereas if the consumption had kept pace with the increase of population, the annual consumption should have been 35,000,000 of bushels.

The next article was distilled spirits. His resolutions declared, that although it was generally believed that the stationary consumption of fermented or malt liquor arose from an increased consumption of distilled spirits, yet it appeared, that the average consumption in Great Britain, of all kinds of spirits, British and Foreign, in the five years, 1806 to 1810, was 13,059,522, gallons; and in the five years from 1820 to 1824, 12,110,281 gallons, showing an actual decrease in the eighteen years, of 949,241 gallons per annum, notwithstanding an increase in the population of that period of about 30 per cent. This would dissipate the common delusion, that the consumption of wholesome liquors had been impaired by the use of spirits. This was, indeed, shifting the disgrace from one pair of shoulders to another; but he would show, that instead of the consumption of spirits having increased, it had declined. The right hon. gentleman had assumed an increase in the consumption of this article of 53 per cent. He had shown above how the right hon. gentleman was deceived. Appendix (K) contained the details of several years; and he asserted that the consumption from 1793 to 1795 was greater than the last three years, even taking into account the spirits imported from Ireland and Scotland to England. He asked, then, was this diminution in the consumption of spirits a symptom of the increase of ease and comfort among the people? The use of ardent spirits had been reprobated; and he certainly was one of those who thought that its abuse, by taking it to excess, was exceedingly pernicious; but on the other hand he was persuaded that in a cold climate, the moderate use of spirits was rather beneficial. Without, however, discussing it as it regarded the health of the people, it was enough for him that this article was generally considered an indulgence; and any limitation of that could not be regarded as a sign that the ease and comfort of the people were on the increase.

The next article in the right hon. gentleman's list to which he called attention, was that comprehending generally the luxuries of the rich. Resolution 40 was the first upon this subject. Taking the annual average consumption of foreign wines for two periods of three years each, the number stood thus:

	Gallons.
From 1801 to 1803	7,661,270
From 1819 to 1822	5,223,326
Diminution	2,437,944

or about 30 per cent, notwithstanding the increased number of consumers in that period, and that there was also, at least 10 per cent of Cape wines, of very inferior quality, charged with duty in the aggregate quantity, in the last period. Thus was the amount of duty lessened 30 per cent, and the consumption diminished in the same ratio. How much easier would it be, he maintained, to return to the old scale of duties, which would produce a greater return to the revenue, and add so much to the comforts of the people of this country. As to the amount of duties, the annual average duty in the three years:—

1801, 1802, 1803........	£1,895,657
1819, 1820, 1821, 1822....	1,724,616
Annual decrease, or 30 per cent.	171,041

In sugar, an article of primary necessity, in consequence of the high duties, the increase in the consumption had been only 7½ per cent, whilst in the same period the population had increased at the rate of 17 per cent. Thus in the nine years—

	Cwts.
From 1808 to 1816 (deducting 1,600,000 cwts used in distillation), the annual consumption was	2,406,809
From 1817 to 1825..........	2,593,540
Increase	196,731

In tea, also, without stating the gross figures, the increase of consumption had been scarcely 12 per cent, whilst the number of consumers had increased in that time about 35 per cent. In tobacco also, although there had been some increase in the consumption, yet it bore no proportion to the increase of population. Thus the annual consumption, from 1800 to 1804 was 11,855,351 lbs. From 1820, to 1824 13,022,851 lbs. being an increase of 10 per cent, whilst population had increased 17 per cent. This small increase proved, that the lower orders were not able to buy this article, and the amount of duty decreased accordingly. He had proposed to reduce the duty to 17*s.* or 15*s.* as it was before the war, by which the country and the revenue would be greatly benefitted; and he could not help now saying, that the continuing a war duty in time of peace was as little to the advantage of the revenue as it was oppressive to the consumers of the article. For these reasons, he complained of the right hon. gentleman for representing that an increase of consumption of tobacco, to the amount of 40 per cent had occurred, when he (Mr. H.) had proved by returns that no such increase had taken place. The next article in the right hon. gentleman's list was soap. In this, he said, an increase of 49 per cent had occurred; but no such increase had taken place. By calculations which he had drawn from papers laid before the House, the increase was only 40 per cent; and this increase, be it remarked, took place in trade, and had no reference whatever to the condition of the country. In leather the right hon. gentleman stated the increase of consumption at 41 per cent. He could only find it to be 26. And he denied that the country had derived any benefit whatever from the alteration of the duties upon wool; for the importation of last year was ruinous to the consumers, and every body who interfered. Besides, the right hon. gentleman had taken as one of his years 1816, which was that in which the least consumption had taken place for fifteen years preceding, the consumption being only 7,500,000 lbs. and contrasted that with a year in which 40,000,000 lbs. had been consumed. This calculation, indeed, if correct, would give an increase of 443 per cent. If he had made a fairer statement, the result would have been different. Thus, in 1818 there were 24,000,000, imported, and with respect to that year, the average of increase would have been only 166 instead of 443 per cent. Upon British spirits an increase of 152 per cent had been assumed; but he had made calculations by which he could demonstrate, that upon an average of ten years, instead of an increase, there had been a decrease of 40 per cent. In tallow candles, it was stated by the right hon. gentleman, that an increase of consumption in the ratio of 36 per cent had taken place. He was glad the subject had been noticed, because it appeared to him that an increased consumption of tallow candles, instead of proving the bettered condition of the people, only demonstrated the greater difficulty which the poor had to earn their bread. Formerly the artizan, the weaver, and shoemaker, were able to retire at the close of day, but now their labour, bestowed through the better part of the night, scarcely sufficed to procure them subsistence. Instead, therefore, of this increase of 10 per cent being evidence of the ease of the people, it evinced their distress. Indeed, it was a perversion of terms to apply it otherwise. Upon the articles of bricks and tiles, he would not dispute with the right hon. gentleman, whether they had increased or not. The little encouragement there was to invest capital otherwise might have been a temptation to speculate in building houses. Yet, pauperism and crime kept pace with the increase of population in these houses.

He would now proceed to consider the extravagance of government, with reference to what was the feeling of the House in the year 1821, on the single point of the civil establishment. The actual expenditure of the civil establishments, and the annual charge for the army, navy, and ordnance, had increased every year, and were still increasing. In 1822, the year after the address of the House, the actual payments from the Exchequer were 13,900,000*l.*; in the next year, they were 14,329,000*l.*; in 1824, they had increased to 15,100,000*l.*; in the last year, they were 14,090,000*l.*; and in the present year, 15,536,000*l.* The hon. member then proceeded to detail the numbers of the men voted for the army since 1817, showing the increase, especially within the last few years, from 81,000 to 87,000 men, exclusive of the numbers voted for the navy, &c. The general abstract stood thus:—

1817 .... number voted	92,282
1818	90,285
1819	80,479
1820	92,224
1821	81,100
1822	68,802
1823	69,144
1824	73,041
1825	86,438
1826	87,764

Such an increase was proof of any thing but an attention to the recommendation of the Finance committee of 1817. It was lamentable, in the present situation of the country, to reflect on the manner in which it was loaded for half-pay. Looking at the half-pay and full pay of the army, it would be found, that the number in the present year exceeded the number in 1822 by several hundreds; so that no part of the promised reduction had been realised. The precise comparative number were these:—In 1822, there were 13,721 officers from the rank of colonel downwards to the hospital establishments, and this year there were 13,839, shewing an increase of 118 officers, instead of the diminution that might have been most reasonably expected by the absorption of half-pay and deaths. Was it not quite clear from this plain statement, that patronage only could be the object, to reward particular interests, and to support people in idleness? So long as such a system was continued, it would be impossible to prevent the recurrence of distress. Instead of promoting retrenchment, there was an expensive increase of the establishments. He was sorry that he had not all the papers he had moved for, especially a paper he moved for about six weeks ago, respecting the number of officers promoted from half-pay to full pay. He should have been better satisfied to quote the official return, but from other documents previously presented, he ascertained that there were 6,173 officers on the half-pay list. What reason was there for continuing such a number, except for the purpose of patronage? The ministers thus continued, under the sanction of the Crown, and by a power which the House ought never to have given, pensions to an enormous amount. The ministers thus had the power of bribing every family in the country, where it was worth their while to bribe; and if those who were connected with branches of the army could speak out, they would say as much. He ought to state it as a very baneful fact, that a large portion of the higher orders were so biassed by means of this kind of patronage, that they acted in a very different way than they would if left to themselves. Members might conceal it from their consciences if they could, but the fact unquestionably was, that expectations of this kind influenced many votes in the House; and, on some accounts, the underhand system was worse than open corruption. The Secretary for Foreign Affairs had said, on a late occasion, "we must have young noblemen and fine gentlemen in the navy;" but he (Mr. Hume) saw no such necessity. There was a time when the cadets and junior branches of distinguished families went into foreign services, and thus provided for themselves; but now they were made pensioners of their own state, and were to be provided for in the army and navy

Members of that House, and of another, looked to ministers for this purpose; and this was the secret of all the late promotions and appointments.

The hon. gentleman then entered into a comparative statement of the number of officers, of various ranks, employed in the naval service of the country at different periods. In 1793, there were 2,062 officers; in 1826 there were 5,528: but of that number there were only 828 officers afloat; so that here we had officers for seven such fleets as that maintained afloat now by this country. Could all this be necessary? The course of promotions also illustrated the nature of the system. In 1816 there were 142 promotions, in 1818 there were 103 promotions, and last year the number was 294. In ten years, there were 1,588 promotions in the navy, besides introducing 5,000 officers. Could any member of that House put his hand on his heart, and say that such numbers of officers were wanted? No; they could not: but existence for life was wanted for such individuals, and so they were fastened upon the country, by having commissions given to them. The system was kept up for the sake of the patronage. If such a state of things was not a reproach to the Admiralty, the state of the marines was. The number was 9,000. If one branch of the service was to be made efficient by the appointment of young noblemen and fine gentlemen, why was another branch to be neglected? The fact, however, was, that to the marines no sons of members of either house of parliament belonged, and they were not ambitious of being attached to that corps. In that corps the number of promotions from the year 1820 to 1825, as compared to the 1584 of the other branch of the War department, was very small. In the year 1820, the promotions were only 4; in 1821, but 24; in 1822, but 9; in 1823, but 10; and so on, making the gross amount of promotions in the marines only equal to 76, in the whole of that period. If these facts did not afford sufficient proof that the promotions in the other departments were the result of influence alone, he thought there could be no evidence of the matter at all; for, in his mind, the statements he had made were conclusive. The same system of increasing expense, where influence and patronage were to be gratified, was preserved thoughout all the departments of the government. In the Ordnance, in the Barrack, in the Commissariat departments, the establishments were increased instead of being diminished. From all the premises which he had laid down, he came to this conclusion, that when there was such a demand, such a drain on the industry of the community, poverty and wretchedness must be the inevitable consequence. It was quite evident, if this state of things continued, that the whole population, except those who lived by the taxes, must, ere long, be plunged in a state of deep distress. The effect of the system which had been so long pursued, was, he thought, correctly described in the 45th resolution. It was there stated, "That, in addition to the progressively increasing privations amongst the great body of the people, as manifested by the preceding resolutions, pauperism and crime have progressively increased to an alarming extent; and, notwithstanding the progressive diminution in the scale of allowance to paupers, the aggregate amount of the parochial assessments expended for their relief, since 1785, has trebled; and, although the money amount has decreased in the three years ending Easter 1824, compared with the three years 1812-14, and the three years 1817-19, yet pauperism, whether considered in relation to its degrading and demoralizing effects, or in relation to the pressure of the assessments, estimated either by the amount in money (if the difference in the value of the currency at the respective periods be taken into account) or the products of labour, has considerably increased, since 1812 or 1817, the years of the largest money expenditure." But since he had come down to the House, a paper had been laid on the table, which showed that pauperism prevailed to a greater extent than he had adverted to in his resolution. He spoke of the increase of pauperism with reference to the "money account," but the paper which had been recently laid on the table adverted to the "numerical" extension of pauperism, and placed the picture in a more appalling light. This proved that the comfort and happiness of the people had not increased, and was in direct contradiction to the statements which the right hon. gentleman had, year after year, made to that House. That crime had latterly increased in a most alarming degree, no man could doubt who took the trouble of looking at what passed around him. The statement contained in number 46, put that melancholy fact out of the question:

It there appeared that "there were 4,692 persons committed to gaols in England and Wales for trial, charged with criminal offences, on the annual average of the five years 1805-9, whilst the numbers committed on the average of the years 1820-4 were 13,000, shewing an increase at the rate of 178 per cent; and if 14,437, the number committed in 1825, was compared with 4,605, the number committed in 1805, the increase would exceed 200 per cent in 21 years, exclusive of 22,106 committed under summary process in 1823." Here it would appear that the commission of crime had increased, in a nearly quadruple degree, between the years 1805 and 1825. Now, it had always been held, that crime was the child of poverty and distress; and if that maxim were true, he had a right to assume, that they, the legislature, who laid on the people greater burthens than they were capable of bearing, were the cause of this lamentable increase of crime, as their measures had created the existing poverty. The proceedings recommended by ministers, and adopted by that House had deranged all the social relations of society. While the country was in a state of starvation, pensioners were allowed to riot on the industry of the people. When such was the real state of the case, it was in vain to suppose that those who abetted such proceedings were not doing mischief —it was in vain to hope that pauperism would not go on increasing. They had, therefore, much to answer for; and they ought, without delay, to set about relieving the country from its burthens. Poverty and crime stalked round the land, and threatened the most serious evils. At the last Old Bailey sessions there were no less than 450 individuals set down for trial, many of them for petty thefts, arising purely from distress. It was perfectly evident, from a just view and consideration of the question, that pauperism and crime were produced by the laws which that House sanctioned. They demanded from the people, in the way of taxation, an extraordinary and unnatural portion of the produce of their labour. Therefore, taxation was a primary cause of the sufferings of the country; which sufferings were further aggravated by the operation of the Corn-laws. Some things had, he knew, been done, which might assist the country in recovering from its difficulties; but, unless they did a great deal more—unless they put their shoulders to the wheel—nothing could prevent the country from sinking under its accumulated calamities. If they would but act prudently and consistently,—if they would retrench the national expenses,—they still had it in their power to save themselves and their country. But it was monstrous, after eleven years of peace, to keep up such enormous military establishments. And if war should happen to occur again, they would look back with regret on the opportunity which had been given them to husband the resources of the country—an opportunity of which they had failed to avail themselves. He, for one, must acquit himself of having been negligent at that crisis. He had done every thing in his power to prevent the evils which now pressed around them; and he hoped that the delusive statement of the chancellor of the Exchequer would no longer blind the public to that which was the real fact. He could read extracts from letters which he had then in his pocket, the statements contained in which would harrow up the feelings of the most insensible. The distress which they described was truly appalling. The present was not a partial distress, against which no foresight could guard. It was a case of great and general privation, and it could not be accounted for, except by a great and general cause. That great, that general, that pervading cause, was the keeping up of large, useless, and most extravagant establishments in this country. Under all the circumstances, he would no longer call upon his majesty's ministers to interfere. He entertained no hope that any real relief would originate with them. He would, therefore—and he hoped the House would agree in the necessity of supporting the proposition—request his majesty to adopt such measures as were calculated to rescue the country from its present perilous situation. He believed that all which he had stated in the course of his speech was correct. He had no sinister object in view in submitting this proposition to the House. He had never indulged in any gloomy forebodings or gloomy anticipations. All he had ever said was, that things were going on badly, but that they had it in their power, by altering the system, to retrieve past errors, and make all well again. England had capabilities and resources, and strength, which no other country possessed. Let them be fairly exerted, and the country would soon be extricated from its present difficulties. But he called on them not to do injustice to one part of the community, for the purpose of serving another. If the principle of free trade, which had occupied their attention so much of late, were a good principle, let it be a general one. He was not afraid of the debt; but he objected to any measure which tended to increase that debt, unless such increase was absolutely called for by the exigencies of the time, and was rendered necessary, in order to place on a secure footing the safety of the country. While he was ready to grant every thing that was called for to support the true greatness and real credit of the country, he would say, "Do not let the present distress and suffering proceed further—retrace your steps before you plunge into that gulf which is yawning before you—attend in time to the misery of the people: if nothing else will move you, let humanity impel you to consider their interests, which you will find in the end are inseparably connected with your own." The hon. member concluded by moving,

"That an humble address be presented to his majesty, praying that he will be graciously pleased to take into consideration the present state of the nation; and to direct immediate inquiry to be made into the causes that have produced such widely spread distress; and that he will be pleased to direct such measures to be adopted as shall as speedily as possible terminate the existing embarrassments."

The following is a copy of Mr. Hume's proposed Resolutions:—

No. 1. That the assertions made to this House by the chancellor of the Exchequer, on the 3rd March, 1823, that a reduction of 24,766,520*l*, in the capital of the public debt had been effected by the operation of the sinking fund, from the termination of the war up to the 5th January, 1823; and again, on the 13th March, 1826, that a further reduction of the public debt, of 18,401,000*l*., had been effected between 5th January, 1823, and the 5th January, 1826, making together a reduction of 43,167,520*l*. in the capital of the public debt since the termination of the war, are not consistent with the accounts before the House, as appears by the facts contained in the following Resolution.

PUBLIC DEBT.

No. 2. That it appears by the annual finance accounts, the public debt of the United Kingdom, funded and unfunded, on the 5th January, 1817 (after the union of the English and Irish Exchequers), was 846,765,078*l*.; and that, on the 5th January, 1826, the amount of funded and unfunded debt of the United Kingdom was 819,437,298*l*.; showing a decrease, in the nominal amount of capital, of 27,327,780*l*.

No. 3. That the diminution of 27,327,780*l*. in the aggregate amount of the capital of the public debt has been effected by a reduction of 18,072,023*l*. in the funded debt, and in a diminution of the unfunded debt of 9,255,757*l*.

No. 4. That of the 18,072,023*l*. of capitals of funded debt reduced in the nine years, 1817—25, there have been cancelled capitals, to the amount of 6,934,285*l*. leaving only 11,137,738*l*. of funded, and 9,255,757*l*. of unfunded debt, or, an aggregate reduction of capital in the nine years, of only 20,393,495*l*.

No. 5. That the charge of the funded debt, as it stood on 5th of January, 1817, was:—

For Permanent Annuities	£.27,709,505
Long Annuities	1,657,904
Life Ditto, per 48 G. 3.........	225,255
Management	278,189
Total....	£.29,870,853

And on 5th January, 1826:—

For Permanent Annuities	25,507,102	
Long Annuities	1,333,257	
Life Ditto, per 48 G. 3.	562,669	
Management	276,818	
Total ..		27,679,856

Shewing a decrease in the nine years of annual charge on the Funded Debt, of	2,190,997
And that the charge of 50,564,787*l*. of Unfunded Debt on 5th Jan. 1817, estimating the English Bills at 4, and the Irish Bills at 5 per cent, per annum was..................	2,051,242
And on the 5th Jan. 1826, on 41,309,030*l*. at 2*d*. per cent. per day, or 3*l*. 0*s*. 10*d*. per cent per annum	1,256,482
Showing a reduction of charge for Unfunded debt of..................	794,760
And total reduction of annual charge for Funded and Unfunded Debt of	2,985,757

No. 6. That out of the 2,985,757*l*. the total reduction of annual charge as shewn by the preceding Resolution, the following reduction has taken place without any reference to surplus revenue, or proceeds of loans, viz.:—

In 1819, Imperial Annuities expired	£.230,000
Exchequer do. do. ..	18,750
Long Annuities cancelled for Life Annuities..........	17,490

In 1822, by conversion of 5 per cents into 4 per cents	1,207,137
1824, Do. of 4 do. 3½ do.	381,035
Charges of Management decreased	8,495
	£.1,862,907
And dividends on capitals, cancelled as per Resolution 4	227,529
And for ditto in 3,807,113*l.* of 4 per cents dissentients, discharged from the Funded and added to the Unfunded	152,280
Total Reduction of charge on the Funded Debt	2,242,716

No. 7. That the total amount of the revenue of the United Kingdom, received in the nine years, 1817—1825 (and exclusive of all sums received for loans or dead weight), was 531,266,535*l.*, and the total amount of expenditure, including every charge for interest of debt, and civil and military establishments, in the same period (exclusive only of payments to the commissioners of the sinking fund), was 508,309,614*l.*, showing a clear surplus of revenue of 22,956,922*l.*, which, with the sums paid by Austria and the East India company, make an amount of money of 25,965,539*l.*, disposable for the redemption of debt, exclusive of 6,917,569*l.*, received from the Bank of England in the three years 1822—25, in part payment of an annuity of 585,740*l.* for 45 years.

No. 8. That the balance of all monies in the Exchequer on the 5th of January 1817, amounted to	£.13,113,040
And, on the 5th of January, 1826, amounted to	5,305,638
Showing a decrease of	7,807,402

which has also been applicable to the reduction of the public debt, in addition to the surplus of revenue, as stated in the preceding Resolution.

No. 9. That although there has been in these nine years an excess of revenue of 25,965,539*l.*, there has been charged, during the same period, in the annual finance accounts, the sum of no less than 124,779,340*l.*, purporting to have been applied to the reduction of the debt.

No. 10. That during the nine years, 1817-25, loans have been raised and Exchequer bills funded to the amount of 98,761,920*l.*, for which there have been capitals created of various denominations, to the amount of 126,536,037*l.*, and an annual charge of 4,074,022*l.*; in addition to which there has been added, 7,122,964*l.* of capital, by the conversion of 149,449,290*l.* of five per cents into 156,921,713*l.* of four per cents; also 2,365,655*l.* of three per cents, by compromise of a disputed account with the East India company, at an annual charge of 70,970*l.*; and 322,961*l.*, by conversion of 968,885*l.* of five per cents of 1797 and 1802 into 1,291,847*l.* of three per cents, and 47,767*l.* of four per cent dissentients since assented to, making an aggregate increase of capital in the nine years of 136,395,381*l.*, and an aggregate increase of charge of ....£.4,146,664

To which add life annuities by 48 G. 3. increased 323,114

No. 11. That out of the 124,779,340*l.*, charged in the annual finance accounts, as applied to the reduction of the national debt, the commissioners of the sinking fund acknowledge to have received the sum of only 116,022,142*l.*, which they have applied as follows, viz:—

For purchase of Stock in Great Britain	£.101,783,712
Do. do. in Ireland	4.511,045
Do. do. East India Company	839,243
Paid for Life Annuities (48 G. III).	3,650,693
For payment of the Dissentients, five per Cents	2,736,800
Do. do. 4 per Cents.	2,390,000
Interest on do.	95,446
Total Sum accounted for by Commissioners	116,006,939

No. 12. That with the sums applied to the purchase of stock, there have been cancelled in Great Britain various capitals to the amount of 144,480,680*l.* The dividends on the same being 4,465,073*l.* and in addition to the above, there have also been cancelled of four per cent dissentients by Exchequer bills.. £3,807,013 and various capitals amounting to 6,934,285

Making a total of ...... 10,741,298 of capital cancelled; the dividends on which capitals amount to 379,809*l.*, shewing an aggregate diminution of capital of 155,221,978*l.* and an aggregate diminution of charge of 4,844,882*l.*

No. 13. That in addition to the sum of 4,844,822*l.* of annual charge of debt reduced as per the preceding Resolution, there has been a further reduction in the nine years of 1,862,907*l.* as per Resolution No. 6, making a total diminution in the annual charge of 6,707,789*l.*

No. 14. That if the increase of annual charge of 4,146,664*l.* as per 10th Resolution, and 323,114*l.* the increase of life annuities, be deducted from 6,707,789*l.* the decrease as specified in the preceding

Resolution, it leaves a nett diminution of annual charge of 2,238,011*l.* on the funded debt, instead of 2,190,997*l.* as exhibited in the 5th Resolution, shewing a difference of 47,014*l.* per annum to be accounted for.

No. 15. That, although by Resolution No. 7, there appears to have been in the nine years, 1817-25, a disposable surplus revenue of 25,965,539*l.* (exclusive of 6,917,569*l.* received from the Bank for annuity in the three years 1822-5) there has only been a reduction in the capital of the funded and unfunded debt, during the same period, of 20,393,495*l.*; whilst the finance accounts, as per Resolution 5, do not show any decrease of annual charge, that would not have been effected by annuities fallen in, cancels, conversions, and diminution of interest in unfunded debt, as per Resolution 6, without reference to the surplus revenue.

No. 16. That the increase of life annuities, over and above the amount of perpetual annuities cancelled, will account for about 130,000*l.* of annual charge; but there is an obvious loss of 186,703*l.* of annual charge, by redeeming stock on less advantageous terms than creating it; as for example, 4,074,022*l.* of annual charge was created for 126,536,037*l.* of capital, whilst the proportion of annual charge redeemed by the same amount of capital, was only 3,887,319*l.*

No. 17. That the loss arising from the complicated system of the sinking fund and the public accounts is further proved by the statement, appendixes (G.) and (H.) which exhibits the result that would have taken place if the surplus revenue, and other resources (exclusive of loans), had been applied, year by year, to the purchase of stock, at the average rates of the respective years; and if further proof is wanting of the ruinous system of finance, so fatally persisted in, of supporting a sinking fund by loans, the following result of the last loan from the Bank in 1823, avowedly for that purpose, will furnish the most indisputable evidence.

No. 18. That there has been paid into the Exchequer by the trustees of naval and military pensions, between the 5th of April, 1823, and the 1st of January, 1826, the sum of 6,917,569*l.* part payment of a loan from the Bank of England, for which an annuity was granted for 45 years, equivalent to an annuity in perpetuity, at the rate of interest of 4*l.* 2*s.* 1*d.* per cent per annum or 73*l.* money for every 100*l.* of 3 per cent stock; whilst the commissioners of the sinking fund, during the same period, have expended a corresponding sum in the purchase of 3 per cent stock, at an average of 88*l.* for every 100*l.* of such stock, being at the rate of interest of only 3*l.* 8*s.* 2*d.* per cent.

No. 19. That by the said loan the public debt was increased in 1823, equivalent to the amount of 9,476,110*l.* of 3 per cent stock, and the annual charge of 284,283*l.* in perpetuity; whilst the commissioners of the sinking fund applied a corresponding sum to the purchase of 7,858,188*l.* of 3 per cent stock, at the rate of 88*l.* of money for 100*l.* stock, cancelling an annuity in perpetuity of 225,745*l.* by which transaction there has been an actual loss, or addition to the debt of the country, of 1,617,922*l.* of 3 per cent capital, and 58,539*l.* of annuity in perpetuity.

No. 20. That although the complexity of the finance accounts, and the loss to the nation by such a system, are clearly manifest by the preceding resolutions, yet the magnitude of the evil inflicted on the country by the ruinous and absurd sinking-fund-system, still persevered in by his majesty's ministers, can only be known by an attentive examination of the series of finance resolutions submitted to the consideration of the House in 1822, and by the following short summary of these transactions.

No. 21. That by a return made to this House, the total nett revenue of Great Britain (exclusive of loans) for 24 years, between the 10th day of October, 1792, and the 5th day of January 1817, appears to have amounted to 1,126,640,417*l.* and the total expenditure (exclusive of all sums paid to the commissioners for the reduction of the national debt) during the same period appears to have amounted to 1,533,628, 631*l.* being an excess of expenditure over a revenue of 406,988,214*l.* but as three quarters of a year, from the 5th day of January to the 10th day of October, 1799, appears to have been stated twice; three fourths of the excess of expenditure in 1799, require to be deducted, making the actual deficiency of revenue to be about 393 millions.

No. 22. That although the actual revenue during the 24 years, from 1793 to 1816, inclusive, fell short of the expenditure only about 393 millions, it appears, by a series of resolutions submitted to the consideration of this House, on the

25th of July, 1822, that an amount of no less than 618,163,857*l.* of money was raised by loans and Exchequer bills, during the said period of 24 years (viz., from 1793 to 1816, inclusive).

No. 22.* That by the sixth of the before-mentioned series of resolutions, it appears, that whilst 618,163,857*l.* of money was raised by loans and Exchequer bills, between the 10th day of October, 1792, and the 5th day of January, 1817, that 188,522,348*l.* only was paid to the commissioners for the reduction of the national debt, leaving the enormous sum of 36,641,517*l.* totally unaccounted for.

No. 23. That by another account presented to this House in 1822, it appears, that in the year 1815, annuities of different denominations, all in perpetuity, were created to the amount of 3,083,621*l.*, equal to 102,787,334*l.* of 3 per cent stock, for which only 53,819,786*l.* money, was received, being at the rate of 100*l.* of 3 per cent capital, created for every 52*l.* 7*s.* 2*d.* of money received.

No. 24. That by another account, presented to this House in 1825, it appears that between the 5th January, 1824, and 5th of January, 1825, the commissioners of the sinking fund have purchased 3,627,225*l.* of 3 per cent stock, for which they have paid 3,416,031*l.* being at the rate of 94*l.* 3*s.* 5*d.* for every 100*l.* of such stock, at a loss of 41*l.* 16*s.* 3*d.* of money, for every 100*l.* stock repurchased, as compared with 1815.

No. 25. That no nation, or body corporate, in their collective capacity, can derive pecuniary benefit or advantage of any kind, by merely trading with themselves, and therefore, the sinking fund system of Great Britain, established solely for the purpose of the nation trading in its own obligations was founded in fallacy, and has been maintained by delusion.

No. 26. That the sinking fund system is not only useless for any beneficial purpose to the State, but highly objectionable from the loss it occasions, and for its direct tendency to promote a system of speculation and gambling, altogether inconsistent with the well-being of the country, and therefore ought to be forthwith abolished.

No. 27. That the state of our manufacturing, commercial and agricultural relations, demands the most serious attention, as the evidence before the House proves a progressive diminution in the remuneration for labour in many of the staple articles of manufacture, as well as for agricultural labour, in reference either to the means of subsistence at the present time, or in comparison with the remuneration for labour at former periods; and that, although the quantity of the products of British labour annually exported progressively increases, yet their value is progressively decreasing.

No. 28. That the annual average official value of the quantity of products of British labour exported in the three years 1814-16, was 36,562,367*l.* and their declared value "44,476,519*l.*" whilst in the three years 1823-5 the annual average official value of the quantity exported was 45,880,927*l.* and their declared value only 36,782,938*l.*; shewing a depreciation in value, after allowing for the difference in the value of the money, at the two periods, exceeding 25 per cent, and consequently shewing an increased pressure of taxation in 1823-5 to that extent, if estimated in the production of British labour.

No. 29. That although the finance committee of 1817 called the notice of the House to the low establishments of the year 1792, and recommended that as near an approximation as possible should be made to the scale of establishment and expense of that year; yet the taxes raised in the United Kingdom in 1825 exceeded 58 millions, or treble the amount of 1792, and the expenses of the civil list, the naval and military establishments, and civil government, exceeded 26 millions (exclusive of the charge for the debt), being four times the amount of the expenditure of 1792!!

No. 30. That a reference to the great amount of the civil list, to the number of pensioners, sinecurists, and highly paid placemen, to the unnecessary number and expense of the army, navy, ordnance, and civil establishments, will sufficiently prove that due regard has not been paid to the recommendations of that committee; it is, therefore, imperative on this House to demand an immediate reduction of taxation, in conformity with that recommendation, as the best means of relieving the country from its present embarrassments.

No. 31. That the repeated assertions made in this House, that there has been a diminution of taxation to the extent of 27 millions, since the termination of the war, are delusive and fallacious, whether as applied to the amount of money actually collected from the people, or the value of the currency, in which the taxes were collected, as will appear by the facts stated in the following resolutions.

No. 32. That the money amount of taxes raised in Great Britain on the average of the three years, 1813-15, the largest receipt of any period during the war, was 69,010,227*l.* per annum; but as that amount was in paper money of nominal value, and not exchangeable into gold, on an average of the three years, at a less rate than 5*l.* per oz. (the maximum having been 5*l.* 11*s.* per oz.) the average annual taxation, if valued in gold, the established standard of value, was equal only to 13,802,045 ozs. of gold, or to 53,741,714*l.* of money, exchangeable into gold 77*s.* 10½. per oz.; whilst the annual average amount of taxation in the last three years, 1823-5, was, 52,430,765*l.* convertible into gold at 77*s.* 10½. per oz. shewing a diminution of only 1,310,949*l.* per annum, of money of standard value, instead of 27 millions.

No. 33. And if a comparison be made of the amounts of taxation at these two periods in labour, or the products of labour, the pressure in 1823-5 will prove to be considerably greater than in 1813-15, as the annual money amount of taxes, on an average of the three years 1813-15 was only equal to 15,853,926 quarters of wheat, at 80*s.* 9*d.* per quarter, the average price of that period; whilst the money amount of taxes, on an average of the three years 1823-5, was equal to 17,434,546 quarters of wheat, at 60*s.* 2*d.* per quarter, the average price of that period.

No. 34. That if the money amount of taxation, on an average of the three last years, 1823-5, be compared with that of the three years 1817-19, the money amount is greater in 1823-5 by 668,426*l.* per annum; and, if valued in gold or the products of labour, the pressure of taxation on the country, in the years 1823-5, will very considerably exceed the pressure either in 1813-15, or in 1817-19.

No. 35. That the continued pressure of taxation has greatly increased the privations and distress of the productive, industrious, and labouring classes of the community, as is manifest from the stationary, if not diminished, consumption of the following taxable articles of primary necessity, and the decreasing consumption of many taxable articles of enjoyment and luxury, notwithstanding a great increase in the number of consumers.

No. 36. That in taking a review of the annual consumption of malt, for the last forty years, in England and Wales, it appears that the quantity annually consumed has actually decreased, notwithstanding an increase in the number of consumers, of about 40 per cent.

No. 37. That, on the average of the ten years, 1785—1794, the number of bushels of malt annually consumed was 25,751,775; and on the average of the ten years, 1815-1824, the annual consumption was only 25,246,940 bushels, shewing an actual decrease exceeding 500,000 bushels per annum; whilst, if the consumption of malt had increased in proportion to the increase of population, the consumption would have exceeded 35,000,000 of bushels per annum.

No. 38. That if a comparison of the consumption of malt in the year 1825 (a year of great excitement) is made with some other single years, during the last 40 years, a greater consumption appears in the years 1792-7 and 9, 1803 and 1821, than in 1825; but a fair comparison can only be made on an average of several years.

No. 39. That, although it is generally believed that the stationary consumption of fermented or malt liquor, arises from an increased consumption of distilled spirits, yet it appears that the average consumption in Great Britain, of all kinds of spirits, British and foreign, in the five years, 1806—1810, was 13,059,522 gallons; and in the five years 1820-4, was 12,110,281 gallons, showing an actual decrease in the eighteen years, of 949,241 gallons per annum, notwithstanding an increase in the population, during that period, of about 30 per cent.

No. 40. That the quantity of foreign wines annually charged with Excise duty in Great Britain, on the average of the three years 1801-3, was 7,661,270 gallons, and the average annual quantity charged in the four years 1819—1822, was 5,223,326 gallons, showing an actual diminution of consumption of 2,437,944 gallons yearly, or about 30 per cent, notwithstanding the increased number of consumers during that period; and that there was also at least ten per cent of Cape wines, of very inferior quality, charged with duty in the aggregate quantity in the last period.

No. 41. That whilst the rates of duty levied on foreign wines were, in the years 1819-22, 30 per cent higher than in the years 1801-3, there was, in the same period, a reduction in the quantity that paid the Excise duties, of about 30 per cent; and the amount of revenue received was less in the period of high duties.

No. 42. That the quantity of sugar consumed in Great Britain, on an annual average of the nine years 1808-16, was (after deducting 1,600,000 cwts. used in distillation in the six years 1809-14) 2,406,809 cwts.; and in the last 9 years 1817-25, on an annual average, 2,593,540 cwts., showing an annual increase of only 196,731 cwts., being about 7½ per cent, whilst the population has increased, during that period, at the rate of 17 per cent.

No. 43. That the quantity of tea consumed in Great Britain, on an annual average of the four years, 1800-3, was 21,023,155 pounds; and the quantity, on an annual average of the four years, 1821-4, was 23,443,479 pounds; shewing an increase in consumption of scarcely 12 per cent, whilst the number of consumers have increased in that time about 35 per cent.

No. 44. That the annual average consumption of tobacco in Great Britain, in the five years 1800-4, was 11,855,351lbs., and in the five years 1820-4, was 13,022,851lbs., shewing an annual increase of consumption at the rate of ten per cent in the latter period; but, if the annual average consumption of 14,155,166lbs. in the five years 1810-14 is taken, it will appear that since that period there has been an actual decrease of consumption, at the rate of eight per cent per annum, notwithstanding an increase of population of 17 per cent.

No. 45. That, in addition to the progressively increasing privations amongst the great body of the people, as manifested by the preceding resolutions, pauperism and crime have progressively increased to an alarming extent; and, notwithstanding the progressive diminution in the scale of allowance to paupers, the aggregate amount of the parochial assessments expended for their relief, since 1785, has trebled; and although the money amount has decreased in the three years ending Easter 1824, compared with the three years 1812-14, and the three years 1817-19; yet pauperism, whether considered in relation to its degrading and demoralising effects, or in relation to the pressure of the assessments, estimated either by the amount in money (if the difference in the value of the currency at the respective periods be taken into account) or the products of labour, has considerably increased since 1812 or 1817, the years of the largest money expenditure.

No. 46. That the progressive increase of crime is even more alarming than the increase of pauperism, as there were 4,692 persons committed to gaols in England and Wales for trial, charged with criminal offences, on the annual average of the five years 1805-9, whilst the numbers committed on the average of the years 1820-4 were 13,005, showing an increase at the rate of 178 per cent; and, if 14,437, the number committed in 1825, be compared with 4,605, the number committed in 1805, the increase will exceed 200 per cent in 21 years, exclusive of 22,106 committed under summary process in 1823.

No. 47. That whether the state of the nation be regarded in reference to the unparalleled extent of taxation—its application—the delusive and ruinous consequences of the sinking fund—the extension and complication of the accounts—the present situation of our manufacturing and commercial relations, or the degraded and wretched condition of the great body of the people, all evince the urgent necessity of an immediate investigation of the causes which have produced those existing evils, and the adoption of comprehensive and decisive measures, to avert the calamitous consequences that must otherwise ensue.

The motion for an address having been read,

The *Chancellor of the Exchequer* rose. He said, it was not until 11 o'clock that morning, that he was put in possession of the series of resolutions to which the hon. gentleman had just called the attention of the House; and when he stated, that those resolutions were no less than forty-seven in number, and occupied twenty-six printed pages, embracing the intricate question of the finance of the country in all its minute details, the funded debt, the unfunded debt, the sinking fund, the general state of the revenue,—divided as it was into a great variety of branches, to many of which these resolutions referred,—when he stated, that the proposition of the hon. gentleman comprised almost every topic that could be introduced into a discussion on the great interests of the country, he thought the House would not be surprised when he said, that it was absolutely beyond the mental and physical powers of any man to deliver his opinions at so very short a notice on the complicated, extensive, and important subjects which the hon. gentleman had submitted to the House. He must, therefore, take the liberty of asking pardon of the House, if, on the far greater part of what had fallen from the hon. gentleman, he found it impossible for him to enter into any satisfactory, or even intelligible statement. He certainly had no conception, when he that morning received the hon. gentleman's long series of resolutions, that the hon. gentleman's motion would have been that which he had thought proper to propose; namely, an address to the Crown, praying his majesty to take into consideration the various embarrassments of the present period, and to adopt measures for their relief, the principal of which measures appeared to be the reduction of taxation. This seemed to him to be the most extraordinary result from the propositions which the hon. gentleman had stated, that could be conceived—and one to which, he thought, the House could not accede, if they meant to act on the resolutions which the hon. gentleman had read in the course of his speech. When, however, he received those resolutions, he felt that, formidable as they might be in extent, it was his duty to make himself acquainted with the points to which they adverted, and to examine how far it would be in his power either to admit or to deny their accuracy. In the very first resolution, he found that the hon. gentleman charged him with making false statements to the House. This was done, he knew, in indirect terms; but of what consequence was that, if, in substance, the resolution went to inculpate him? The substance of the resolution did, in effect, charge him with having, either from gross ignorance, or wilful delusion, or fraudulent design, stated to the House that which was not consistent with the fact. Now, he would take the liberty to deny that assertion; and further, he would take the liberty to say, that there was, in that very accusatory resolution, a statement of the kind which the hon. gentleman had imputed to him. He would presently point out what that statement was. But, he must, in the first instance, observe, that it was a most unprecedented thing to charge a member of that House with a deliberate falsehood; the accusation being founded, not on an accurate knowledge of what that gentleman said at the time referred to, but on some unauthorized report of his speech. In the hon. gentleman's first resolution he had referred to what was stated to have been said by him on the 3rd of March, 1823. Now he must observe, that he was not answerable for what had been published as his speech; he had never seen it, until it was published; he had never revised it, and, he must say, that, looking to the common principle of justice, the hon. gentleman had no right, on such authority, to charge him with deliberate falsehood. [Mr. Hume intimated that he had not done so]. He could not qualify the expression; for, if that resolution were true, then he was guilty of fraud—he was not fit to sit in that House—he was unworthy of holding any situation in his majesty's government. But he would contend, that it was the resolution which contained that which was not true. The resolution ran in these terms:—"That the assertions made to this House by the chancellor of the Exchequer, on the 3rd of March, 1823, that a reduction of 24,766,520*l.* in the capital of the public debt had been effected by the operation of the sinking fund, from the termination of the war up to the 5th of January, 1823; and again, on the 13th of March, 1826, that a further reduction of the public debt, of 18,401,000*l.* had been effected between the 5th of January, 1823, and the 5th of January 1826, making together a reduction of 43,167,520*l.* in the capital of the public debt since the termination of the war, are not consistent with the accounts before the House, as appears by the facts contained in the following resolution." If the statement which he had really made, were not consistent with the documents before the House, then, of course, he was answerable, because those papers were furnished by those who were in connexion with his office, and he, of course, must be acquainted with them. But he never had said that the reduction of the public debt between the termination of the war and the 5th of January 1823, was effected by the operation of the sinking fund. On the contrary, he took special care to say that it had not been so reduced. And when the hon. gentleman thought fit to accuse him, let him refer to the passage as it really occurred, and then see whether his accusation was or was not well founded. On the day alluded to, he had proposed to the House a certain resolution for the purpose of simplifying the operation of the sinking fund. Before he submitted this resolution to the House, he felt it to be his duty to declare what the actual state of the debt was. Now, the hon. gentleman would find, that the words "sinking fund" were not used in the speech to which he had referred; and it was utterly impossible that he could ever have said, or inferred, that 24,000,000*l.* of the public debt had been reduced by the operation of the sinking fund. He again begged leave to state, that he was not bound by a single word that appeared in the publication to which the hon. gentleman had had recourse.

Mr. *Hume* said, he did not rely on the words stated in any publication to have been uttered by the right hon. gentleman. He relied on the statements made by that right hon. gentleman himself; statements of which he had a perfect recollection; for, when the discussion was ended he had gone over to the bench on which the right hon. gentleman sat, and had pointed out to him the errors of his statement.

The *Chancellor of the Exchequer* continued—What he stated was, that, comparing the debt as it stood on the 5th of January, 1816, with its amount on the 5th of January 1823, there was, in point of fact, an actual reduction; which reduction could not be accounted for, except by reference to the application, in some way or other, of a surplus revenue. On the 5th of January 1816, the amount of the funded debt was 816,311,446*l.* The amount of the unfunded debt was 48,511,000*l.* The state of the same account, on the 5th of January 1823, was funded debt, 796,530,000*l.*—unfunded debt including deficiency bills, 43,526,000*l.*; being a reduction of 23 millions. If they looked to the 5th of January 1816, and the 5th of January 1823, they would find, in that period, that 19,902,400*l.* of funded debt, and 4,864,120*l.* of unfunded debt had been reduced, being a diminution of upwards of 24,766,000*l.* The total, as contained in the resolution, was correct; but it was utterly impossible that he could have stated that the sinking-fund had caused this reduction of the debt. He had, on the contrary, absolutely divided the reduction from the sinking-fund. He had not introduced the sinking-fund as the instrument which had effected that diminution.—And why? Because he knew that other circumstances had contributed to the reduction of the debt, independent of the sinking-fund. He had abstained from speaking of the sinking-fund as the cause of that reduction, because he would not practise any delusion on the House; and therefore the hon. gentleman was not authorized in accusing him in this way, by introducing a resolution (for he understood that the hon. gentleman had intended the proposition as a resolution) of a criminatory nature. What was the proposition put forward by the hon. gentleman? Why, that the chancellor of the Exchequer had made a certain statement which was not consistent with the documents before the House, as was proved by "the following resolution." So that the first step would be to condemn him and then to examine the resolution which was to afford ground for that condemnation. Now, they might chance to reject that resolution; and what, then, would become of the first proposition? He believed that no attempt had ever before been made to condemn a man in so clumsy and bungling a manner. First he was to be condemned by a formal resolution, and then the grounds of that resolution were to be discussed. But so enamoured was the hon. gentleman of this new, this singularly logical mode of reasoning and coming to a conclusion, that he adopted it elsewhere. Let the House look to the 31st resolution, where the hon. gentleman again adverted to certain assertions attributed to him. The resolution set forth—"That the repeated assertions made in this House, that there has been a diminution of taxation to the extent of 27,000,000*l.* since the termination of the war, are delusive and fallacious, whether as applied to the amount of money actually collected from the people, or the value of the currency in which the taxes was collected, as will appear by the facts stated in the following resolutions." Here again he was attacked by the hon. gentleman. Now certainly the hon. gentleman might accuse him of false reasoning, if he pleased; but it was going a little too far to assert that he was guilty of deliberate falsehood. In this instance, too, the proofs were to follow the condemnation. They were first of all to pronounce a verdict of guilty, and they were then to look to the succeeding resolutions for the purpose of seeing whether that guilt was or was not well-founded. He conceived it to be utterly impossible that, pursuing such a mode, the hon. gentleman could induce the House to adopt a series of propositions such as he had submitted to their consideration. He found it difficult—nay, almost impossible—to follow the hon. gentleman in that excursive course which he had taken. He had wandered backwards and forwards, from resolution to resolution, until he (the chancellor of the Exchequer) could not help thinking that "chaos was come again." He would beg leave to refer to the second resolution, and he could adduce facts to prove the correctness of that which the resolution was intended to point out as fallacious. The resolution set forth—"That it appears, by the annual finance accounts, the public debt of the United Kingdom, funded and unfunded, on the 5th of January 1817 (after the union of the English and Irish Exchequers), was 846,765,078*l.*; and that on the 5th of January 1826, the amount of funded and unfunded debt of the United Kingdom was 819,437,298*l.*; showing a decrease in the nominal amount of capital, of 27,327,780*l.*" Now, the fact was, that on the 5th of January 1816, the period at which the funded debt of this country had reached its maximum, it amounted to 816,311,446*l.*, and on the 5th of January 1823, that debt was reduced to 796,530,000*l.* This was a correct statement; but the hon. gentleman in his resolution excluded entirely the year 1816. He dated his account from the 5th of January 1817. If he (the chancellor of the Exchequer) had founded his calculation on the 5th of January 1817, and if he had deduced the same conclusion as he had come to, having commenced with the 5th of January 1816, he would have stated that which was not true; but having taken 1816, he had only stated that which was literally the fact: and if the hon. gentleman looked at the paper from which he (the chancellor of the Exchequer) drew his inference, he would find the full refutation of his own charge. But, what had the hon. gentleman done? He had referred to papers that were never ordered by the House. He had referred to his own resolutions of 1822, which were never carried; and which were proposed before he (the chancellor of the Exchequer) had any thing to do with these matters. He (the chancellor of the Exchequer) had founded his calculations on other papers, and between them and his statements there would be found no inconsistency. If the hon. gentleman would examine the accounts which referred to the 5th of January 1816, he would perceive, that those accounts tallied precisely with his (the chancellor of the Exchequer's) statements. Now, as the first part of the charge was wrong, and he thought he had proved that it was wrong, the whole of what the hon. gentleman had built on must fall to the ground. The hon. gentleman had pursued so extraordinary a course, that he feared he should tire the House in attempting to follow him. After speaking for two hours on the subject of the sinking-fund, to which the whole of his first resolution referred, he very coolly turned round, and said, "I don't mean to call the attention of the House to this question now, but I will take some other opportunity to bring it forward." He knew not how the House could give credence to either the facts or inferences of the hon. gentleman, because these resolutions referred to ten thousand other papers, and it was quite impossible to make the matter intelligible to the House. The hon. gentleman took up and laid down different subjects just at his pleasure. He was ready to justify his own conduct whenever he could guess what charge the hon. gentleman had to allege against him, but he really did not think that he was called on to justify the conduct of ministers for the last forty years. The hon. gentleman had attacked the sinking-fund, and Mr. Pitt, and all others who approved of that right hon. gentleman's system. This, however, did not apply to him. What he had to do with the sinking-fund was, to put it on a more intelligible footing; and all that the hon. gentleman had said of purchasing with the one hand and selling with the other, did not affect him in the slightest degree, although he was obliged to bear the head and front of the hon. gentleman's battery. He therefore thought that he was not treating the subject unfairly, if he did not enter into the mode of administering the sinking-fund during so many years of war. He knew that there was a strong difference of opinion on this subject; but it should be observed, that he had never operated with the sinking-fund; and, as he had not come to the House to raise a loan on that security, he did think that the hon. gentleman was not justified in introducing such a violent tirade. The hon. gentleman had accused government of wishing to mystify the public accounts. Now he could conceive nothing more foolish, absurd, or useless in a government than an attempt at mystification. He detested such a system, and he was sure he could not get through it. He wished to simplify the public accounts, but when they considered the greatness and extent of those accounts, it would not be surprising that they appeared somewhat complicated. He did not know how they could make their financial system intelligible to any person who merely took up documents of that nature for an hour, and expected them to be as perfectly clear and plain as an ordinary balance-sheet. He despaired of effecting this object; but if the hon. gentleman or any other person — he cared not a farthing who—could make the accounts more plain, and thus enable the hon. member to bring forward his attacks more clearly than he had done that night, he should be exceedingly pleased with the circumstance. In opposition to what the hon. gentleman had stated, he thought that every year he had come down to the House he had been particularly fortunate. He had blessed his stars that he had been enabled to reduce taxation to the amount of 8,500,000*l.* But the hon. gentleman said, this did no good at all, because the amount of taxation levied on the people was just the same as before these reductions. This, however, was not the case. Why had he reduced the duty on wine? He had done so, because he found, in point of fact, that the tax had diminished the sale of the article. He therefore brought it back to the rate at which it stood in 1801 and 1802. And what was the result? Why, the immediate result was, that the consumption increased in a greater proportion than he had ventured to anticipate. He had calculated the loss that would be produced by the reduction at 230,000*l.* It was, however, considerably under that sum, and for this plain reason—that more wine was drank now than before the duty had been lowered. If this was the case, it could not be contended that the people did not profit by the reduction. If a man who could not previously indulge in that luxury was now enabled, by the reduction of the duty, to purchase even a single bottle of wine, that reduction was manifestly an advantage to the individual.—With respect to the hon. member's charge of the falling off in the consumption of spirits, and that that falling off was to be attributed to the high duty at which it had been rated, what did he (the chancellor of the Exchequer, do? He took the first step to remedy the evil by reducing the duty; and what was the consequence of that reduction? Why, the consequence was, an increased demand for the article. But the country had not as yet had time to derive benefit from the reduction. It had only come into operation on the 5th of January last; and consequently the measure of reduction had not come fairly into play. The hon. gentleman was therefore not justified in censuring him for a decrease in the article of spirits, as he had endeavoured to remedy that decrease by the only possible means that could be adopted; namely, a reduction in the duty. —The hon. gentleman found fault with him for having, on a former occasion, stated to the House, that the country was in a prosperous state—that there was an increased consumption, and, consequently, an increased revenue. The hon. gentleman said, that this prosperity was a mere delusion; nay, he went further, for he seemed to imply, that he (the chancellor of the Exchequer) was aware that it was all a delusion, and took satisfaction from the circumstance of having thus imposed upon the country. Such was the effect of the hon. gentleman's insinuation, but he disregarded this attempt to lower him in the opinion of the country; and however the hon. gentleman might reconcile it to his feelings, to cast such unworthy reflections, they would fail of their intended object, and recoil upon him with whom they had originated. What was the fact? It was true he had congratulated the House on increased consumption, and on the prosperous appearance which the country at that time wore; and he had given a practical proof of the improved condition of the country, by showing that where distress had existed, it was found no longer. Where was the disaffection, the discontent, the bloodshed, and the tumult which had so lately existed? It had all vanished, and left scarcely a trace behind; yet, although such was the fact at the period when he made the statement, the hon. gentleman had called it "flourish and flummery." It was true he had congratulated the House and the country on the increasing comfort of the people; and he put it to any reasonable man in that House if he was not warranted in doing so. The hon. gentleman had commented in severe terms on the statement which (he the chancellor of the Exchequer) had made at the commencement of the present session, and he seemed to think that because he had quoted the year 1816, it was to serve a purpose that he did so. His only object, however, was to show to the House what course government had adopted to reduce the taxation of the country; and he believed he had succeeded in showing, at least to every impartial and candid man who heard him, that the reduction of the taxes had been accompanied by an increased prosperity to the country. The hon. gentleman had said, that he (the chancellor of the Exchequer) had held out delusive prospects to the traders in wool, and that persons engaged in that particular branch of merchandise had suffered severely by that delusion. All that he should say in reply to the charge was, that it was unfounded. No delusion, by word or deed, had ever been practised by him, in order to force an importation of that article. Another, and certainly a very grave charge of the hon. gentleman's was, that he imputed to government impure and unworthy motives, with respect to promotions in the army and navy. It could hardly be expected that he (the chancellor of the Exchequer) should go into all the minute details connected with that subject. This much, however, in justice to his colleagues and himself, he might be permitted to say—that government had a difficult and invidious duty to perform, in apportioning promotions which must necessarily cause a new expenditure, or at least must keep up the old. The hon. gentleman could not be aware of the awful responsibility imposed on his majesty's ministers in coming to a decision in such cases. It was easy to impute motives, but government would abandon its duty if it did not, in dispensing promotions both in the army and navy, endeavour to place those establishments on the least expensive and most economical footing. Was it just of the hon. member to say, that the only object which government had in view in keeping up a large army in time of peace was the patronage which it threw into their hands? It might be the duty of the hon. member to make those charges. The hon. member seemed on all occasions most eager in such a pursuit, and he no doubt considered himself justified in doing so. But he should not infer, because he might consider himself right, that those whom he accused were necessarily in the wrong. The committee of Finance of 1817 had recommended that government should endeavour to approximate the finances of the country as nearly as might be to the year 1793, and his majesty's ministers had endeavoured to follow that suggestion. The hon. member charged the present government with not reducing the army and navy establishments of the country. The question of a reduction in those establishments was one of serious import, and involved considerations of the greatest consequence. The hon. gentleman stated, with reference to a part of our colonies, that an undue proportion of troops had been sent most unnecessarily there. In reply to which he should merely observe, that government had not proposed any military establishment for the defence of those colonies that was not absolutely essential to their defence. Yet this was one of the topics upon which the hon. gentleman thought fit to propose an address to the Crown; although the whole details of this matter had now been gone over, year after year, for some time. There really was considerable difficulty in meeting the charges of the hon. member in debate. They were so often refuted, and yet so often repeated, and contained in them so much matter of personal crimination to which no reasoning would apply, and which admitted of no answer beyond the mere denial of the individual accused, that it was both painful and difficult to have to deal with them. It was truly extraordinary to observe the hon. gentleman's course in this respect. He always resolved every man's conduct into some miserable, pitiful, left-handed object. This was so habitual with that hon. gentleman, that he (the chancellor of the Exchequer) had become quite callous to it, as far as he was concerned. But it really was too much to bear—it was really galling to see unworthy motives ascribed to hon. gentlemen, because some of those who were generally opposed to ministers, happened upon some measures to coincide with them; as if it was utterly impossible for men ever to act an honest, disinterested, part. What were they to suppose the mind of the hon. gentleman himself to be made of, when they saw that he never could by any accident talk of men's actions in that House, without betraying a watchful suspicion, and imputing motives of that kind which could attach to no honest man? For his own part, he would not trouble himself to answer them. With regard to others he would not presume to answer for them; but he did hope that every one whom the hon. gentleman should think fit to attack would treat the attack with as much indifference as he did. As he could not undertake to talk for three hours and a half upon the subject matter of forty-seven resolutions, he would not pretend to go further into the details of the hon. member's speech. This much he would take leave to say—that he was quite sure no man could, with any regard for truth, vote for the first resolution: and also, if he had any regard for reasoning, he would not vote for any of the others, as they were all, independently of their own particular defects in that respect, more or less founded upon the first resolution, which was false in fact. He thought, therefore, that the House would not be disposed to join the hon. gentleman in his motion for an address to the Crown. Not that he meant to say, that it was not the duty of government, and of the parliament, to represent to the Crown in the fullest manner the distressed and difficult situation in which the country was placed. But he denied that the hon. gentleman had any right, from any thing that his majesty's ministers had done or said, to charge them, as he had done, with a want of common humanity; the whole meaning of the charge being neither more nor less, than that they had not adopted all his motions with reference to the scale of the military and civil establishments of the country. Although, therefore, he objected to the motion proposed by the hon member, it was not to be inferred that it proceeded from any indifference, or from any thing approaching to indifference, for the sufferings with which some part of the country was assailed. He, indeed, who did not feel, and feel acutely in a case of this kind, must be something more or less than man.

Mr. *Brougham* thought, that the right hon. gentleman had misconceived his hon. friend, in supposing that he wished to take the right hon. gentleman by surprise, with respect to the present motion. The right hon. gentleman said, that he had no notice of these resolutions until eleven o'clock that day, when they were forwarded to him. Now, if that were a ground of complaint, he (Mr. Brougham) had still greater cause to complain than the right hon. gentleman; for it was half-past seven o'clock that evening when the resolutions had been put into his hand. So that he was in the same predicament as the right hon. gentleman; and as it might naturally be supposed that, if there had been a preference, he should have had it, he really could not see that the right hon. gentleman had, after all, any very serious ground of complaint. But, seriously, he should like to know—and he begged the House to attend to this—whether, upon any former occasion in which such a motion as the present had been brought forward, the right hon. gentleman had been better treated. Was not the notice of this motion regularly entered among the notices? If his hon. friend had not shown a great deal of courtesy on the occasion, he would not have sent his statement to the right hon. gentleman at all; but would have reserved it, in order to embody it in a speech. Was it to be objected that his hon. friend, after giving due notice to the House, and forwarding on the morning of the day when he brought it forward, the mass of valuable but minute detail embodied in those resolutions—was it to be objected against his hon. friend, that he had taken the right hon. gentleman by surprise, and had not given him due notice? Had he acted as others would have done, he would not have given the right hon. gentleman one tittle of his statement. Had the right hon. gentleman any just grounds of complaint with regard to the present motion, when, on common occasions, the courtesy which he had now experienced would have been denied him? The right hon. gentleman seemed very anxious to convict his hon. friend of error. The only mistake which he conceived his hon. friend had fallen into, was that of concluding the proposed resolutions with an address to the Crown, instead of proposing them in the House for the purpose of obtaining its decision upon them. With respect to the first resolution, could it be said that his hon. friend intended to charge the right hon. gentleman with improper conduct? He was sure his hon. friend meant no such charge; but as a mis-statement had been made in the accounts to which that resolution referred, his hon. friend was desirous to know the truth, but without any intention of imputing wilful misconduct to the right hon. gentleman. With respect to the words attributed to the right hon. gentleman, he said that they were taken from a speech that never had his sanction; but his hon. friend, in contradiction to that, had said that he had taken a note of the exact words at the time they were uttered, and could not have misconceived them, and that moreover he went round to where the right hon. gentleman was sitting at the time, and said to him "Your calculation is so and so, and this is different."—With respect to the sinking-fund, his hon. friend had said distinctly, that he exonerated the chancellor of the Exchequer from any portion of blame resulting from that measure. He deprecated the system, but did not impute blame to the right hon. gentleman. With respect to that system, he deprecated it as much as his hon. friend. There was a direct arithmetical blunder in the statement to which the first resolution referred; and his hon. friend was surely not to blame because he had the sagacity to discover it. He rejoiced to hear from the chancellor of the Exchequer himself, that men who formerly supported the sinking-fund, were now as eager to censure it. His hon. friend had deprecated the system of keeping the public accounts; and the right hon. gentleman said in reply, that those accounts were kept as regularly as any private balance-sheet in the best regulated establishment; but the instance of mis-statement to which reference had been made, furnished a bad example in support of this. Now, he could not see why there should not be as much precision and accuracy in dealing with millions as with thousands, nor why a balance-sheet should not be the same in both cases. He must beg pardon of the House if he was obliged to enter a little into detail. With respect to the taxation, he begged leave to concur in what had fallen from the chancellor of the Exchequer, and to differ from his hon. friend; that was to say, he differed from his hon. friend in what he said on the subject in his speech, although he concurred in his resolution respecting it. He felt convinced, that although there might be a nominal reduction of 27,000,000*l.* since the termination of the war, out of a taxation of 69,000,000*l.*, that, in point of fact, although 52,000,000*l.* was the present amount of taxation, there was only an actual diminution of 1,500,000*l.* instead of 27,000,000*l.* So far he agreed with his hon. friend, and he could not, therefore, understand how it was that the right hon. gentleman could make the reduction appear greater. With respect to the argument of the right hon. gentleman on the subject of wine, he confessed that he did not exactly perceive the point which he meant to establish. It was quite clear, that the diminution in the consumption of wine was at least 30 per cent yearly, notwithstanding the increased number of consumers. It was certainly true, however, that a man had no right to complain, if he could now drink two bottles of wine instead of one. The consumer and the dealer were now on more equal terms; and the revenue on this particular article was raised with much less burthen to the country. So far he disagreed with his hon. friend's speech, although he agreed with the statement contained in his resolution. Take, now, the article of malt. From the year 1785 to the year 1794, the number of bushels of malt annually consumed was 25,750,000, and the average of ten years from 1815 to 1824, the annual consumption was only 25,500,000, showing an actual decrease of 500,000 bushels per annum; whilst, if the increase of malt had been in proportion to the increased population, the consumption would have exceeded 35,000,000 of bushels per annum. Nor was this decrease confined to the article of malt alone, for not only malt but other spirits had decreased. It appeared that the average consumption in Great Britain of all kinds of spirits, British and foreign, in the five years from 1806 to 1810 was 13,059,522 gallons; while the average of the last five years, 1820-4, was 12,110,281 gallons, showing an actual decrease in the last eighteen years of 949,241 gallons per annum. Nor was this decreased consumption confined to those articles which he had quoted. In the article of sugar, on an average of the nine years from 1808 to 1816, it appeared that there were 2,406,809 cwt., and in the last nine years, from 1817 to 1825, on an annual average, there appeared 2,593,540 cwts., showing an annual increase of only 196,731 cwt., being about 7½ per cent; whilst the population had increased during that period at the rate of 17 per cent. This article of sugar, however, it should be observed, had not decreased so much as others. It appeared, then, that while the numbers increased, there was also a great increase in the expenditure of the country, but at the same time a decrease of the comforts of the people to an amazing extent. There was one part of the argument of his hon. friend in which he did not concur. It was that which referred to the increase of pauperism, and, as his hon. friend stated, an increase of crime. His hon. friend had said, that, notwithstanding the improvement which had been made in the criminal code, the amount of crime had continued steadily to increase. He apprehended that his hon. friend did not take a correct average of the time in which this increase was visible. His hon. friend drew the line of comparison a little too early. He spoke first of the average amount of commitments between 1805 and 1809, and from the latter year to the year 1824; but he did not take into his calculation the time in which there was a transition from war to peace; for, though we had that peace in 1814 and 1815, we should look to the gradual disembodying of the army after that period, which was not fully accomplished before 1818. On examination, it would be found that the increase of crime was greatest immediately after those troops were disembodied. If, then, the line of comparison was drawn between the years before this period and the years after, the difference would be very great. If the seven years before 1817 were taken, the average number of commitments would be found about 6,700; but the average of the next two years (when the greatest number of troops were disbanded) would be found somewhere about 13,000. Looking to these facts, they could not disconnect the increase from the transition from war to peace, and the disbanding of large bodies of the army. From the year 1815 to 1816, the commitments for crime were 7,800; from 1817 to 1818, they increased to 9,000; and in the next year, they were about 13,000 and upwards; and this last was the period when the greatest number was disbanded. Comparing the commitments in those periods, with what they were in 1821, the result would afford no ground for denying that an improvement, the result of an improved education, had taken place in the morals of the people. He felt it necessary to make these remarks on this part of his hon. friend's speech, in order to guard against conclusions from it which the circumstances did not warrant. He was glad of the opportunity thus given by his hon. friend, of entering upon the important questions which he had introduced. He had laid before the House a mass of accounts connected with its revenue in every important branch, the collection and arrangement of which would have staggered the most persevering—would have deterred any but the hon. member himself from entering upon the task. These, with some few exceptions, were surprisingly correct. The last of the propositions contained in his hon. friend's statement was the most important of all, and one which deserved mature consideration. The result of the whole was, that the revenue and expenditure of the country ought to undergo the most complete investigation—that they ought not to expend millions, or thousands, nor even shillings, more than the strictest economy required, and that the sooner they gave relief to a suffering people in this respect, the better they would discharge their duty in this closing session, and the better they would be able to meet their constituents at the approaching election.

Mr. *Maberly* said, that the debt had not been reduced by the sum mentioned by the chancellor of the Exchequer, nor by any sum at all; and so it would have appeared if the accounts had been kept as they ought to have been. But the custom was, to keep them in a most intricate state; so that the fallacies could not be detected without the utmost attention. It turned out, however, that the nominal capital of the debt was 100 millions more than it was in 1819. "But," said the gentlemen opposite, "look at the charge of the debt." He was ready to meet them there too; and would refer to a paper drawn up by as good an accountant as any of these gentlemen. The statement given was by Mr. Higham, and the result was, that in January, 1819, the debt was 832 millions; in 1826, the amount was 893 millions, being an increase of 61 millions. And then as to the charge of the debt, in 1819 it was 29,045,000*l.*; in 1826 it was 29,176,000*l.*, being 131,000*l.* more in the latter period than in the former. The object of his hon. friend was, to shew, that owing to this sinking-fund, the country was much more in debt than it would have been without it; and that proposition he had clearly made out. And then a capital of thirteen millions was added by the dead weight, which, he believed, would hang as long as a dead weight about the neck of the Bank; and, perhaps, lead them to require another Bank restriction. So intricately had the public accounts been kept, that he had for years called in vain for a balance sheet, which he had obtained at last with great difficulty. He had heard with satisfaction, however, from the chancellor of the Exchequer, that he proposed to enter into a thorough examination of the state of the public accounts; and assured the right hon. gentleman, that what assistance the hon. member for Montrose and himself could render him, would be much at his service. That would be a most beneficial act of duty towards the public; and his hon. friend, the member for Montrose, would, even in producing that result, have done much for the advantage of his country, by bringing forward these resolutions.

Mr. *Robertson* expressed his regret, that this motion should have been brought forward and supported by the other side of the House, on the ground that there ought to be now given a relief from taxation. Such a proposition was only holding out delusive hopes to the country; for there was no prospect, in the present state of our revenue, of any relief from that source. Our revenue was 52,000,000*l.*, of which upwards of 30,000,000*l.* went to pay the interest of the debt, and the remainder to meet the expenses of our army and navy, and our civil establishments. An expectation of relief from taxation under such circumstances was illusive; unless it was intended that faith should be broken with the public creditor. If hon. members chose to advocate such a measure, taxation might be reduced; but where, then, would be the credit of the country? Our exports were more than our imports, and that had been a main cause of our distress. He should move that the House do adjourn.

The *Speaker* was about to put the question, but not observing that any member seconded it,

Mr. *Hume* proceeded to reply, observing that he would trouble the House with only a very few words more. He regretted that the chancellor of the Exchequer should have imagined that he intended to say any thing personal against him. He had never intended to do so, although the right hon. gentleman seemed to have imagined that he did. He could assure the right hon. gentleman that when he had made the statement alluded to, he went over to the right hon. gentleman and mentioned, that he was surprised that he could have made such a statement. He had afterwards seen the right hon. gentleman, and showed him clearly, that not one shilling could be saved to the country by the sinking fund, but that the effect of it was directly the reverse. The right hon. gentleman at that time appeared to him to defend the sinking-fund. With respect to the motion, he had only to say, that not one fact had been produced to contradict what he (Mr. Hume) had stated.

Mr. *Robertson* spoke to order. He had moved an adjournment of the debate.

The *Speaker* having observed, that he had not heard the motion seconded,

Mr. *Robertson* having referred to Mr. Alderman Heygate, as having seconded the adjournment,

The *Speaker* put the question.

Mr. *Hume* resumed his reply. The right hon. gentleman had stated, that as his first resolution was erroneous, the whole of the rest depending upon it were gone. But the truth was, no answer had been given to his resolutions. He had put it to the House in the strongest language, that it was necessary to diminish the expenditure, but so as not to touch the public creditor. It was most extraordinary, therefore, that he should have been charged by the hon. member for Grampound with any view to prevent our keeping faith with the public creditor. The plan which he suggested was, to save five millions, by putting an end to the sinking-fund—five millions by so far diminishing the ordinary expenditure. By this means ten millions annually would be saved to the nation. In 1792, the whole of the expenditure for the military, and other ordinary purposes of government, was five and a half millions. In the present year, the expenditure for the same purposes was 26 millions. Now, if the expenditure in 1792 was only from five to six millions, why might not the same purposes be answered now by an expenditure of twelve or thirteen millions? But then, when the expenses of foreign embassies were so extraordinary, and when an ambassador was permitted to expend 30,000*l.* in one year—when such and similar extravagancies were allowed—it would be impossible to make the reduction which he had stated. He trusted that whoever really believed that this reduction of ten millions could be made, would vote for his motion; and that it might be made might well be believed, when they considered what reductions had been made in 1821, in consequence of his suggestions; even after all the estimates of the year had been regularly voted. Ministers had shewn no disposition to economy, and therefore it became the duty of the House to address the Crown for the purpose of enforcing it.

Strangers were then ordered to withdraw. While they were leaving the gallery,

Mr. Alderman *Heygate* said, that as it appeared by the rules of the House, that in consequence of having seconded the amendment, he was precluded from speaking on the main question, he would only observe, that he had done so to prevent the premature conclusion of the debate on a subject the most interesting in the present state of the country. This was the only reason why he had seconded the amendment.

The House divided on Mr. Hume's motion: Ayes 51; Noes 152. Majority against the motion 101.

List of the Minority.

Allan, J. H.
Althorp, viscount
Barret, S. M.
Bernal, Ralph
Bright, H.
Brougham, H.
Burdett, sir F.
Byng, Geo.
Calcraft, John
Calvert, Chas.
Cradock, Sheldon
Creevey, T.
Davies, T.
Denman, T.
Dundas, hon. T.
Ellice, E.
Fergusson, sir R.
Glenorchy, visct.
Heygate, ald.
Hobhouse, J. C.
Howard, hon. W.
Howard, H.
Hurst, Robt.
Ingleby, sir W.
James, Williams
Johnstone, W.A.
Knight, R.
Leader, Wm.
Lloyd, sir E. P.
Maberly, John
Maberly, W. L.
Marjoribanks, S.
Milbank, Mark
Monck, J. B.
Palmer, C.
Palmer, C. F.
Powlett, hon. W,
Ramsden, J. C.
Rickford, W.
Robarts, A. W.
Robinson, sir G.
Russell, lord J.
Scarlett, James
Smith, hon. R.
Taylor, M. A.
Tierney, right hon. G.
Webbe, E.
Wharton, John
Whitbread, S. C.
Williams, John
Wilson, sir R.
Wood, M.

TELLERS.

Hume, J.
Duncannon, lord

HOUSE OF LORDS.

Friday, May 5.

IRISH CHARTER SCHOOLS.] The Bishop of *Ferns* rose pursuant to notice, and said—My object in placing these letters upon your lordships table was, to make use of them for the defence of the committee by which the business of the Charter-schools in Ireland is managed, usually denominated the Committee of Fifteen, from the number of its members, against what must appear to every person who reads the report of the commissioners of Education Inquiry to be a very heavy charge indeed, amounting to an imputation of culpable, I should, perhaps, say criminal, neglect of the duty which they had undertaken to perform. They act indeed gratuitously, but that should not be an excuse for wilful neglect. The system of management in these schools must be unknown to a great majority of your lordships: I shall beg leave to give a brief account of it. A charter was granted in 1733, incorporating the principal clergy and laity of Ireland, for the purpose of establishing schools for the instruction of the children of the poor natives, and for training them to religious and industrious habits. I cannot better describe the objects and the utility of the institution than by using the words of lord Chesterfield, when lord lieutenant of Ireland, who, when commending the bounty of parliament to it, called it a most prudent as well as a most compassionate charity, and recommended it to their constant protection and encouragement as an excellent institution, by which a considerable number of unhappy children were annually rescued from the misery that always, and the guilt that commonly, accompanies uninstructed poverty and idleness. A body so numerous as that which was thus incorporated could not transact business; a committee of fifteen was formed, to be elected annually, and to that committee the management of the schools was intrusted. To the body at large nothing was reserved except the power of settling leases, and of appointing and dismissing masters. These powers, I believe, could not legally be given to any committee; the former requiring directly the use of the seal of the corporation; the latter involving it indirectly; for if an appointment of a master was made out in form, it must be under the seal; and to dismiss a master, the instrument of his appointment must be cancelled, which could only be done by the power which had executed it. The advantages of local inspection suggested the appointment of local committees, consisting of such ladies and gentlemen as were willing to undertake this duty. This system is relied upon as one of the objections to the establishment. The local committee are represented as acting under the influence of personal prejudices in favour of the master; the committee of fifteen, as discouraging the exertions of the local committee, and rejecting its applications; and the body at large as preventing the committee of fifteen from dismissing masters, unless direct proof of their criminality was given. My lords, I know not of any human institutions against which objections may not be made. In all cases it is necessary to take the best precautions within our reach. But I confess it does appear to me to be very absurd to refuse to act unless these precautions are such as to make error or wrong-doing impossible. If we want local information, we must be content to find it mixed with local prejudices. If we want a central government to regulate the application of funds to several establishments, we must be content to place it at a distance, and to remedy the defect of local knowledge by the best means in our power. That the superintendence and the discipline exercised towards the masters of the schools were strict, appears from facts stated in the report made by the commissioners. It appears that, in the space of twenty-four years, from the year 1800 to the time of making the report, thirty-two masters had been dismissed, and seventeen had resigned; that the resignations were to avoid actual dismissal is not doubted. Thus forty-nine masters were removed from the schools in less than half as many years—a degree of severity in the exercise of corrective power that I apprehend most people would deem fully sufficient. The means resorted to by the committee that manages the Charter schools, for obtaining information as to their state are, to require that the catechist —I should have stated that a clergyman, generally the curate of the parish in which the school is situated, is appointed under the title of catechist, which sufficiently describes his duty.—He is required every time he visits the school to enter a memorandum of the state in which he finds it in a book kept for that purpose. And every visitor who comes to the school is requested to do the same; and an attested copy of that book is sent up every half year to the committee of fifteen. I am in possession of some original returns of that nature, and, should any of your lordships wish it, I can produce them. As a specimen out of the entries made by visitors, I beg leave to state an entry in the book of Santry-school, for training school-masters, made by the rev. Lewis Way, a gentleman whose exertions in the cause of benevolence have probably made his name known to some of your lordships. It was made in 1820, shortly after the commencement of the plan: "Having witnessed the examination of twelve boys of this school, who are designed for school-masters and teachers; and having examined them myself in the material points of our holy religion; I can truly say I was astonished at their progress in divine knowledge. The questions I put were not connected with any catechism or form of words, but arose out of the subjects before them, in reading promiscuously at the time. Of all the young persons I ever examined, these gave me the most entire satisfaction. They do great credit to their habitual instructor, and to those who interest themselves in the care of the establishment, the continuance of which will, in my opinion, be more conducive to the best interests of the community than any I have visited.—Signed, Lewis Way, A. M. Wanstead Park, Sussex." In addition to this copy, which enables the committee of fifteen to see the state of the school, and to learn the degree of attention which the catechist pays to his duty, there is sent up, every half year, a list of the children in each school, specifying the business they have been employed upon during the preceding half year, and the progress each has made, and containing also remarks upon the character of each. Original returns of this sort are in my possession, and I can show them now, if required. These separate reports are stated in the evidence given before the commissioners by the secretary of the society. The statement will be found at p. 202 and 204 of the appendix of their report. That last, however, had not been recollected by the commissioners in drawing up their report, for in p. 25 they explicitly state that the monthly letters which the catechists were required to write were the only regular means the committee of fifteen had of obtaining information of the condition of the schools since the discontinuance of the office of visitor. From what I have stated to your lordships, it is clear that these letters were not the only means of information which the committee of fifteen possessed, and that the committee were in possession of evidence which proved that they were not; and now I come to the letters themselves. The report, in the part now referred to, goes on to give an extract from the secretary's evidence, which concludes by his seeming to state that, for the preceding nine months, not one letter had been received from any catechist. It was with reference to this report that I called for the letters now open upon your lordships' table. On referring to the secretary's evidence, p. 202 of the appendix, your lordships will find that he stated previously to the commissioners that the practice was for the catechists to write only when any circumstance occurred in the school requiring to be communicated to the committee of fifteen. And it appears that the half-yearly reports, and the half-yearly copies of the visitors' books, had gradually superseded the monthly communications; they containing, in fact, weekly reports of the state of each school. Of these occasional letters, sixty-eight had been received during that part of the year 1824, to which the report of the commissioners referred. I shall content myself with saying, that the report in omitting to notice them, though actually in the possession of the commissioners, carries upon the face of it the marks of being too hastily made up. It might be supposed that the evidence of the secretary had deceived the commissioners; but certainly had it been attended to, it would not have deceived them. On comparing it as given in the report, and as given in the appendix, it will be found that the former is materially defective. The last answer but one in the report, page 25, is this—"Upon my word I doubt it." The question had been as to whether no letter had been received from the catechists? The words that should have been added, as may be seen in the Appendix, page 215, are "not regular monthly letters;" and his meaning clearly was, that no catechist had strictly conformed to the rule of writing a letter every month, as he had but two days before explained in his evidence, given at page 202. My lords, it was a very severe charge against the committee of fifteen, that they had remained for nine months in total ignorance of the state of all the schools under their care—for such is the charge made in the report. Had the commissioners recollected the evidence, they would have known that two half-yearly reports from every school, such as I have described, had been made to that committee during that period, and that two copies of the visitor's and catechist's book had also been sent up from each school, and that 68 letters had also been written by the catechists during the same period; and had they examined those letters, they would have found that the most trifling occurrences were thought to require communication from the catechist, and the least delay in making such communication was censured by the committee. The charge against the committee of fifteen, and against the local committees, and the catechists, of having suffered barbarous punishments to be inflicted, has been, I believe, very sufficiently answered. It was made against the master of Sligo, the usher of Stradbally, and some others, in such terms, as drew censures on government for not having instantly directed prosecutions to be commenced against the offenders. Orders to that effect were given; but, amongst the cases stated, only three were found capable of bearing indictments: even the case of the eight boys at Stradbally, whose persons are described as having been found in a shocking state of laceration and contusion (p. 17), and upon whom the punishment is represented as having been inflicted through malice, was abandoned as incapable of proof. And what was the fate of the three prosecutions actually undertaken? Two of them were defeated without the jury quitting the box, and the third was abandoned. Upon the subject of punishment, I have only to observe, that but one instance is produced of a boy having been so punished as to be kept for a single day from school, and for that instance, we are carried back ten or eleven years. It is, indeed, stated, that boys were punished for complaining of any misconduct of either master or usher; and the case of a boy named Best is mentioned [p. 21] as having been punished in the face of the whole school at Sligo, for having made a complaint, and a reference is given to No. 82 of the Appendix for the proof. Now, on referring to the Appendix, p. 158, we find the sort of evidence upon which this charge rests:—A boy of the name of Doyle states that it was not for having complained, but for some fault that he had committed, that the boy was punished; but that the master had malice against him for making the complaint, and that he conjectured that to have been the real cause of the punishment. And we find in the evidence of Ludden, a boy of the same school, that he expressly swears (p. 175) that he never heard of any thing having happened to Best in consequence of his having complained.—It is clear, therefore, that the evidence does not bear out the statement that Best was punished for having made a complaint in the face of the whole school. It would be useless to go through a complete examination of all the statements in the Report, by comparing them with the evidence. What I have already laid before your lordships is, I believe, very sufficient to show the Report was drawn up rather hastily, and that the committee of fifteen were not guilty of quite so much remissness as is charged against it. But this, it will be said, is no defence of the system itself, which is radically bad, as separating children from their kindred, and turning them out into life without friends or relatives, and without that practical experience which children in ordinary circumstances require. How apprenticing a child into a family, the master and mistress of which are to instruct him, can be considered as turning the child out into life, I profess I cannot comprehend. As to separating them from their kindred, that, I apprehend, is but too frequently in Ireland conferring a great benefit. However, let us see how stands that fact. Of those in the schools last August, when I got returns, 984, nearly one-half of the whole number were orphans, or foundlings; and of 925, whose petitions for admission were before the Society, 662 were either orphans, or, being deprived of one of their parents, were left either to a mother who could not support, or to a father who could not superintend, them. But, my lords, the word separating is somewhat of an ambiguous nature. It leans towards that charge which represents the schools as tearing children from their parents.—It ought to be known, that the admittance into the Charter schools is solicited as a favour. There must be a petition from the parent, or, in case of an orphan, from the nearest relation, praying for the admission of the child, and giving, in express words, consent to its being educated a Protestant; and there must be a certificate, from some respectable person, that the facts contained in that petition are true. It is, indeed stated, in the Report, that at one time parents were so unwilling, to part with their children, that it became necessary to build nurseries, that a constant supply of children might be provided. How the nurseries were to be supplied with children when parents would not part with them, the Report has not thought it necessary to inform us; and yet it seems rather difficult to explain it. I should reckon this also to be a proof that the Report had not been considered quite as carefully as was requisite. Of this haste, there is a curious proof given in page 29, where a calculation is made of the expense that would be incurred were the Charter schools so extended as to admit seventeen or eighteen children annually from every parish in Ireland. It is rated at twenty millions per annum; and the error in the estimate amounts to sixteen millions, or within a trifle of it. The calculation is not difficult; it consists in multiplying 35 by half the number of parishes in Ireland, that is, by 1,200—the product by 7 (the average time spent in a Charter school), and that by 14 (the average expense in pounds, of maintenance). It were well if the errors in calculation were limited to this imaginary case. The most important error, as I conceive, in the whole report, lies in the calculation made of the utility of the institution, as compared with its expense. We are told in page 30, that the expense has been at the rate of a million for 7,905 children apprenticed; and the advantage of the institution is stated as consisting in having apprenticed, since its commencement, 12,745 children. And does the advantage of education terminate with the individual upon whom it has been bestowed? My lords, if there be any benefit conferred on man, in which his posterity participates, it is religious education. It would be an unwarrantable waste of your lordships' time, upon which I have already trespassed too long, to go into a proof of such a truism: in fact, the advantage extends much further than to the immediate family of the individual. I shall take it, however, as being so limited; I shall take the annual admissions into the Charter schools, since their commencement, at only 180 per annum; and at a low rate of increment, they and their descendants amount to upwards of 138,000, of whom upwards of 80,000 are alive at the present day. In this calculation I did not rely upon myself. It rests upon the authority of one of the best mathematicians in Ireland, Dr. Robinson, the Professor of Astronomy at Armagh. It has been my object, my lords, while defending the conduct of the committee of fifteen, to make such a statement as should prove that the Report of the Committee of Education Inquiry had not been considered as carefully as might have been desired; and that the system which it attacks is of far too great importance to Ireland to be put down without the most grave deliberation.

Lord *King* observed, that the reverend prelate had at least failed in one point which he had promised to establish; namely, that the catechists had not failed in their duty, and had complied with the rules of their office. The reverend lord appeared to be very angry with the Report, against which he directed the principal part of his resentment. The reverend lord had spent the greater part of his life in Ireland; but when he had been a little longer in this country, he would find, to use the phraseology of the noble lord at the head of the Treasury, that it was not the fashion here to make a scandalous misuse of the public money. And a greater misapplication of the public money he did not know of, than that of the Chartered schools in Ireland. For these schools there had been paid 1,600,000*l.*—one million in parliamentary grants, and the remainder in some other way; and during the whole term of the existence of these schools, nearly a century, there had been only 7,900 children apprenticed. Now, he saw no occasion for such a waste of public money for such a purpose, where every resident clergyman was bound by his oath to teach the English language, and to keep a school for that purpose, taking such convenient stipend as the custom of the place warranted. This being the law, he contended that the clergyman had no more right to his tithe than the poor children of the place had to their learning. It was a miserable excuse to say that 40*s.* was the ancient stipend, and that it was now impossible to find a schoolmaster to do the duty for that sum of money, because, as the clergy had raised their tithes, so they might raise the amount of salary for this purpose. The neglect of duty, with reference to this point, extended to the whole spiritual staff of Ireland. The primate, and other high dignitaries of the church of Ireland, were, he believed, officially chargeable with the right management of these schools, and yet, as appeared by the Report, there were, out of 31 dioceses, only 10 in which there were proper efficient school-houses; 21 were totally deficient, and in all the teaching was very bad. The whole contribution furnished by the Irish church was no more than 600*l.* The reason of so many abuses being allowed to exist was, that the board of fifteen, which had supreme control, seemed to think it their duty to support all abuses in the inferior clergy, as though they had a vested interest in the exclusive management of their schools. The Report contained numerous charges of negligence on the catechists, which it was impossible to get over. In the Sligo school, for instance, why was such an abuse allowed to exist, as that the children should be subjected to a sort of "slave labour," entirely for the benefit of the master? It seemed, according to the Report, that the object there was, not how much could be taught them, but how much work could be got out of them. And yet the reverend prelate undertook, with this abuse staring him in the face, to justify the conduct of the catechists, and show that they had done their duty. It was really curious to look at some of the quarterly returns sent from these schools. In some of them he found that the actual miracle was accomplished of making people live long in the world and grow younger. If any of their lordships would look at the reports to which he referred, they would find this to be the case. The boys' names and ages were put down in these lists. He found amongst the names, for instance, one David Porter, a youth, no doubt, of excellent parts, but to whom he could not give the credit of being able to remain stationary at the age of sixteen for four years. But this was affirmed by the lists in question. Another boy, it appeared, was 14 one year, 14 also the next, and 13 the year after. Another appeared to remain at the age of 15 for two years, and then he became 17, and the following year was 15 again. These were falsehoods so obvious, that really the catechists ought to have seen them, and must have seen them, if they had discharged their duty. As to the state of learning in the schools, it appeared by the Report, that in one school there were only three boys who had ever heard of St. Paul, and only one who had ever heard of Europe. The charge of cruelty was also fully made out by the testimony of those who saw the shocking laceration of the boys. It was said, that the usher was fully exculpated by the trial which ensued; but he thought nothing of that, for he had never yet heard of a slave-owner that was cruel to his slaves, when it came to trial; and he supposed it was just the same with the ushers in those schools. It was not, however, upon the words of the Report only, that he relied for a case of abuse against those schools. Mr. Haward had said, on a former occasion, that he found them in a "dreadful situation;" Mr. Fitzpatrick spoke of the "barbarous treatment" he witnessed in them; and Mr. Disney actually resigned, because he could not prevail on those whose duty it was, to rectify the abuses. Thus, then, was the Report confirmed; and the fact was, that the whole plan of the system was, to take Catholic children from their parents, and bring them up in the Protestant faith. The resident clergy, he must say, did not do their duty with respect to education. He was sorry to say that they had long lived in habitual neglect of their duty, in defiance of the law, and in contempt of their oaths. For his own part, he must say, that he never would consent to one farthing of the public money being voted for the maintenance of those schools. In one case it appeared the master of the school lent money to some of the officers, which could be for no other purpose but to induce them to conceal abuses in his school. In another instance the wife of the schoolmaster was actually the contractor for the clothing of the children; and all those things were brought to light by strangers—not by those whose duty it was to discover them.

The Bishop of *Ferns* said, that it would be merely necessary for him, in reply to the observations of the noble lord, to refer to the Report of the commissioners, in which they stated that these schools were conducted with good order, and in a manner highly creditable to those who had the superintendence of them.

The Marquis of *Lansdown* said, he felt quite assured, from the inquiries which had taken place, and from the knowledge thus obtained by the king's government, that something would ere long be done towards the amelioration of the system. He had read, with great diligence, the exculpatory papers moved for by the learned prelate, and had also looked over the Report of the commissioners, and he must say, that the impression made by them differed very much from that which they seemed to have produced on the mind of the learned prelate. Letters were occasionally transmitted from seventeen of the schools, but no regular monthly reports. From these letters he should be disposed to draw inferences not at all favourable to the management of Charter schools in Ireland. Even in the very first page of the exculpatory documents, reference was made to a girl, who had been appointed teacher, though known to be a person of immoral propensities, having been detected in acts of thieving during the time that she had been a scholar in the institution. In the next page it was said, that schools could not go on for want of books; and in page 11 it appeared that out of 72 scholars, there were only two eligible to act as teachers, and that even those two were deficient in the necessary qualifications. Such were specimens of hese highly useful seminaries. He did not hesitate to say, that such management was disgraceful to the country. He was willing to admit that the commissioners had done their duty with zeal and propriety. The probability was, that these letters had never passed through their hands.

The Earl of *Darnley* condemned, in severe terms, the principle on which Charter schools were managed in Ireland, particularly the practice of taking Roman Catholic children from their parents, and bringing them up in the Protestant faith.

The Bishop of *Bath and Wells* said, there was no institution without some faults. It could not be denied that there had been gross errors and abuses in the management of those schools; but he trusted the inquiry would be productive of good, and that the patrons of such establishments would, in future, be more careful in the management of them. He hoped nothing that had been said that night would tend to prejudice the furtherance of education in Ireland; for there was no country on the face of the globe where religious education was more wanting.

Here the conversation dropped.

HOUSE OF COMMONS.

Friday, May 5.

EXPORTATION OF MACHINERY.] Mr. *Hume* presented two petitions, on a subject which he conceived to be of the highest importance, one from the Machine-makers of Manchester, and another from their workmen, in the same place; stating, that they had received large orders for machinery from abroad, and that they would receive still larger, but were prevented from executing them, in consequence of the existing law against the exportation of machinery—that great distress had arisen from the want of employment; that there were at present several foreigners in Manchester who had come over for the purpose of engaging English artizans, and who declared, that if the laws against the exportation of machinery were repealed, they would not attempt to entice the workmen to go abroad—and that there were, at the present time, great numbers of workmen engaged to go to France and other countries, to manufacture those very articles, which, under a different state of the law, would be bought from the British manufacturer. It appeared to him, that we had arrived at that state, in which we were depriving ourselves of those advantages which we ought to possess, from a fallacious notion which had gone abroad, that there was something in the manufacture of machinery which ought to exempt it from the operation of those principles of free trade, which had been so wisely applied to other branches. The petitioners thought it extraordinary that machinery should not be allowed to be exported. They had received orders to the extent of 20,000*l*., and were unable to execute them, although the manufacturers would have given employment to a number of those workmen who were starving around them through inability to procure work. He was aware of the prejudice which many manufacturers entertained on this subject. They supposed that the exportation of machinery was tantamount to an encouragement to competition in their several branches of manufacture; but this notion was fallacious. In a committee which sat last year, of which he was a member, the most satisfactory proof was exhibited, that if the prohibitory law was repealed, England might supply the whole world with machinery, and derive immense wealth from the manufacture: instead of which, day after day witnessed the emigration of our most skilful artisans in that branch to other countries, for the purpose of supplying them with articles which we possessed peculiar advantages in furnishing. This was a melancholy circumstance; and he hoped that, in the language of the petitioners, the law, which they stated to be incompatible with the principles of free trade, would be repealed. He had intended to bring in a bill in the course of the session for this purpose: and regretted that he had allowed himself to be dissuaded from it by the President of the Board of Trade, who was afraid of increasing the alarm which prevailed in the country. An additional branch of trade was thus in danger of being lost to the country; and at the same time a number of deserving and industrious workmen left without employment. He considered the acts of violence which the workmen were committing in the manufacturing districts, as only tending to heap ruin on the heads of the manufacturers. He was sorry this subject had not before been brought before the notice of the House; for he felt satisfied, that the more discussion was provoked on the subject of prohibitory laws, the more the eyes of the country would be opened. If power-looms were not employed, not only would our exports suffer, but all the persons to whom their use was the source of employment, would be reduced to extreme distress. So far from the power-looms doing any injury, he thought that England would be a loser by their abolition. He hoped that these deluded men would be informed, that their recent proceedings were at once injurious to themselves and to the best interests of the country. He yielded to no man in wishing happiness and prosperity to the artizans of this country; but still he could not but regret the steps which they had so recently taken. He hoped, even now, that his majesty's ministers would give their attention to the prayer of the petitioners, for he had no doubt, that, if our prohibitory laws were removed, our artizans would find full employment at home, in place of going to France and elsewhere to look for work. Again he expressed a hope, that the subject would be considered, and that machinery would be placed upon the footing of every other article of our manufacture.

Mr. *Grenfell* concurred in all that had been so well said by his hon. friend; but he regretted that the subject was mentioned during the accidental absence of any of his majesty's ministers, and the more so, as he had reason to believe that they agreed with the views of his hon. friend. He knew one of those power-loom manufactories at Manchester, which gave employment to 150 men—although it was prohibited from exportation. But the result of this prohibition was, that if the machinery was not smuggled out of the kingdom, the artizans were; and he had heard there were now agents from

France in this country, who were busily employed in seducing our workmen to that country. He knew of a case which forcibly illustrated this prohibitory system. At the close of the American war, the then government thought proper to prevent copper sheathing being sent to France; and what was the result? Why, that the French immediately established factories of their own, and that of Rouen was now one of our most formidable rivals.

Ordered to lie on the table.

Petition of Mr. O'Connell complaining that Lord Norbury is superannuated.] Mr. *Scarlett* said, he held in his hand a petition from Mr. O'Connell, the Irish barrister, praying for the interference of the House, in order to remove lord Norbury from the Chief Justiceship of the Common Pleas of Ireland. He felt that the subject was one of a peculiarly delicate nature; but, as he perceived nothing objectionable in the language of the petition, and as it had been forwarded to him for presentation, he would discharge his duty, putting the House as shortly as possible in possession of the substance of the allegations relative to the learned lord. The Petitioner expressed very clearly the disinclination he felt to interfere with the subject, if he had seen a disposition in any other quarter to have saved him the painful duty of standing forward on this occasion. He had hoped that the lapse of time might have rendered it unnecessary for him to lay his complaints before the House; but having been disappointed in these expectations, he could no longer refrain from calling the notice of parliament to a subject so deeply affecting the administration of justice in Ireland. He begged it to be understood that he preferred no imputation on the honour or integrity of the learned lord. He alleged simply, that he was incapacited from the adequate performance of his judicial duties, by the infirmity and debility consequent upon old age. In particular the learned lord was so subject to lethargic stupor, that he would frequently fall fast asleep in the middle of the trial at which he was presiding. In one instance it occurred that on a trial for murder, which took place in Ireland before the chief justice of the Common Pleas, his lordship fell asleep, and so remained during the greater part of the evidence. The consequence was, that he delivered such a charge to the jury as led to the conviction of the prisoner, who however was afterwards very properly pardoned. Another instance was mentioned at Mulingar, when six persons were tried before the learned lord, who was sound asleep during the greater part of the trial. The fact of his being asleep was so notorious, that the barrister who conducted the prosecution, requested the jury to take notes of the evidence, in order that they might inform the judge of what had passed, when he awoke. The petitioner stated, that if it was necessary to support by evidence his allegation, that the chief justice of the Common Pleas was, by age and infirmity, incompetent to the duties of his office, he would appeal to the other judges of that Court, and to all the barristers who practised in it, and on the Home Circuit, which the learned lord usually selected. He was utterly incompetent, the petitioner solemnly affirmed, to try any serious case of property, or to preside over the fate of any human being, even on the most trivial charge. The petitioner was well aware that his interests were opposed to the course he had adopted, in bringing this subject before parliament; but his motives were public and pure. The only circumstance he had to reproach himself with, was his not having done so before; but he had found so much difficulty in prevailing upon any body to join with him, that he had been discouraged, until the weight of the grievance compelled him, without further hesitation, to present himself before that House. The hon. and learned gentleman, having thus stated the substance of the petition, observed, that he did not intend to found any motion on the petition. He felt that if it was deemed advisable to take any step, the measure would proceed with much better effect from some member connected with Ireland. He presented it to show that he would not shrink from the discharge of any duty, however odious it might be, relative to the administration of public justice. He certainly was of opinion, that infirmity or incapacity was a good reason why a judge should resign, whether it arose from age or any other cause. The complaint in this instance was not that the learned lord was originally unfit for his office, but that time, the greatest of all innovators, had deprived him of those faculties and talents which had recommended him to the notice of those who had placed him in authority. He regretted the necessity of this course; but there was, unfortunately, no other mode of producing, or compelling, the resignation of a judge, than by bringing the case in this shape before the public.

Mr. *Goulburn* said, that as the learned gentleman had distinctly declared that he had no intention of bringing forward any motion on this petition, it was scarcely necessary for him to make any observations upon it. But he could not help calling the attention of the House to the situation in which the learned lord was placed. The petition related purely to a question of opinion. Was an individual, because he had attained a particular age, to be held to be so utterly disqualified as to be incompetent to the discharge of his duty for the future? Who had pretended to fix the day beyond which a judge was no longer deemed worthy of his seat? It was well known, that there were, and had been, many judges who had performed their duty to the entire satisfaction of the public, at an age equally advanced with that of the chief justice of the Common Pleas of Ireland. The learned lord's health was as good as at any period of his life, and he (Mr. G.) had observed nothing in his public or private intercourse with him, that could justify the allegation that he was unfit for his office. The right hon. gentleman, with reference to that part of the petition in which the petitioner appealed to the other judges of the Court of Common Pleas for evidence of the incompetency of the chief justice, stated, that he was decidedly of opinion, they would declare him to be perfectly competent. A case had occurred in that Court, only the term before he quitted Ireland, which removed all doubt as to the ability of the learned lord. An argument of great difficulty was heard before the judges in banco. The chief justice differed from all his learned brethren on an important point of law. The case was afterwards argued before the twelve judges, and they decided, in accordance with the opinion of the learned lord, and against that of the three other judges of the Common Pleas. He did not deny that it might be proper to lay down a general rule, that judges should not sit after they had attained a certain age; but, it would be manifestly unfair to make the learned lord suffer by its operation, when it was not intended to be applied to others.

The Petition was then brought up and read. It alleged, that the Chief Justice of the Common Pleas of Ireland was eighty-five years of age, and so deaf that he could hardly hear any thing that passed in his court, and was besides liable, in such a degree, to lethargic stupor, that it was impossible he could properly attend to any case that was tried before him.

Mr. *North* admitted, that that part of the allegations of the petition against the learned lord was undoubtedly true, in which it was stated that he was eighty-five years of age, and he had ascertained, having taken pains to make the inquiry, that there was no judge so old either in Ireland, or in this country. He agreed, too, that the learned lord would have consulted his ease, his dignity, the wishes of his best friends, and the interests of the administration of justice, if he had retired from the bench some time since. But, whenever he should retire from the court over which he had so long presided, and in which he had displayed such unrivalled courtesy and kindness to the whole bar, he would leave behind him a remembrance of his admirable temper and unequalled suavity, which would long continue, after the infirmities of his declining age would be forgotten. Not for worlds would he have brought forward this subject himself; but, as it had been introduced, he was glad that an opportunity had been given to him of discharging a most painful duty.

Mr. Secretary *Peel* said, there was a strong probability that the individual whom he was proud to call his friend, had been induced to retain his seat, from having heard that a petition was to be presented against him. He was prevented from retiring, lest it should appear that he had yielded to the menace held out against him. His high integrity had never been impeached; and, considering the manner in which this petition had been reluctantly brought forward by the learned gentleman, he, speaking as the friend of the learned lord, felt that no impediment was raised in the way of his retirement by this petition. No part of it cast the slightest suspicion on the purity of his judicial conduct. He might retire without the shadow of an imputation on any portion of his long public life.

Ordered to lie on the table.

CORN LAWS.] Lord *Stanley* rose to present a Petition from Bury, in Lancashire, respecting the Corn-laws. He took that opportunity of saying, that, in his opinion, it would be decidedly of no use to let out the bonded corn without duty, as the only result of that course would be, to give the benefit of the remission to the corn dealers. He would recommend rather, that the full duty should be paid, and the amount afterwards remitted to the Committee for the Relief of the Distressed Manufacturers.

Mr. *Huskisson* quite concurred in opinion with the noble lord. The only object of allowing the corn to come out of bond without duty would be, to relieve the sellers of corn from the tax, and enable them to put the difference in their pockets. He availed himself of that opportunity to allude to a circumstance which had taken place on the previous evening, relative to the corn-market at Liverpool. He did so with perfect good humour; but he could not refrain from advising the hon. baronet, who had addressed him on that occasion, to be a little more on his guard as to the information he received. The hon. baronet had stated, that he had his information on the best authority, and that he placed entire reliance upon it. Now, he begged attention to these circumstances. At Liverpool there were two corn-markets weekly, one on Tuesday, and the other on Saturday. He had received a letter on Tuesday, the 25th of April, prior to that Saturday on which the hon. baronet had stated, that extraordinary activity had been manifested in the sale of bonded corn. The letter was to the following effect:—"We take the liberty to suggest, that great advantage might be made by the judicious purchase by government of bonded corn, to be re-sold to the Committees in aid of the distressed mechanics." This letter was signed, "Booth and Walmsley," The wheat in bond at that time was selling at from 4*s.* to 4*s.* 6*d.* a bushel. That was the price quoted in the printed price current. On the following Saturday, the hon. baronet stated, that uncommon activity was manifested among the holders of foreign corn. He (Mr. Huskisson) had deemed it necessary to procure the printed return for that day, and he found that the price quoted for wheat in bond was 4*s.* to 4*s.* 3*d.* So that this Saturday which, according to the hon. baronet, was one of extraordinary activity, had produced a depression of 3*d.* a bushel. To this price current there were added some observations on the different descriptions of corn, and he found these words with relation to foreign corn: "the transactions were unimportant, and the prices were unaltered." Yet this was the state of things which had according to the hon. baronet, occasioned extraordinary activity. Now he held in his hand a statement respecting the market of Tuesday, and the only observation he should make upon it was, that the wheat and flour, that is foreign wheat, continued dull at the last quotation. This statement, he trusted, would put the hon. baronet on his guard, as to the authority, whoever it might be, on which he placed so much reliance. He should feel most happy to place in his possession the documents he now held in his hands, in order that he might set his authority right. He trusted this statement would satisfy the House, and that they would be of opinion that he stood fair in this transaction, notwithstanding what had fallen from the hon. member for Surry on a former evening, namely, that the holding the office of President of the Board of Trade was incompatible with the duties of a member for the town of Liverpool, he should feel the utmost satisfaction and pride to be honoured at the next election with the confidence of that most enlightened and intelligent commercial body.

Sir *T. Lethbridge* expressed his opinion, that the authority of the right hon. gentleman was more likely to be correct than that on which he had relied. At the same time he must say, that he had the most entire conviction that the authority, from which he had received his information was convinced of its truth.

Mr. *Heathcote* presented a petition from certain persons engaged in the Corn-trade at Boston, against the bill now before the House. They stated, that the effect of the present measure would be, to put money into the pockets of the holders of foreign corn. There was another part of the petition which was very important. It proceeded from some of the most considerable corn merchants of Boston, who stated, that on the faith of the decisions of that House, and the statements of the right hon. gentleman opposite, they had embarked a considerable portion of their capital in corn; and the consequence of the intended measure would be, that they must suffer considerably.

Sir *J. Wrottesley* said, it appeared to him, that the best course would be, for government to take the duty into their own hands, and apply the amount to the benefit of the distressed manufacturers.

Sir *J. Sebright* said, that one of the arguments in favour of this measure was, the moral effect to be produced in consequence of letting loose the quantity of corn now locked up within the very sight of the distressed people. But to his moral sense, it seemed that gentlemen opposite wished to allow the people to suppose they could derive benefit from the violation of the laws. However, be the duty what it might, the effect of this measure would be, at the most, to reduce the bread a penny a loaf. If he could believe that the proposed measure would tend to produce any substantial benefit to the distressed manufacturers, he would give it his support. But, as he had said on a former evening, if this measure should pass now, it would settle the corn question for ever; but he lamented that, for the sake of reducing the price of bread one half-penny, or one penny, this indirect mode should be resorted to of altering the Corn-laws. He was sorry that this course had been resorted to at all, but particularly by ministers, in whom he was more disposed to repose confidence, than in any administration of which he had a recollection.

Mr. *T. Wilson* said, that the object of the proposed measure was, not to reduce the price of corn, but to prevent its rising to a prejudicial degree. The measure would not benefit the foreign corn dealer; for the greater portion of the bonded corn had been imported on British account. And one of the beneficial advantages flowing from the measure would be, to afford an opportunity to have the warehouses replenished when the present quantity should be removed; so that hereafter we might not be compelled to depend for our supply upon foreigners, instead of the stock in our own granaries.

Ordered to lie on the table.

CORN LAWS—BONDED CORN.] Mr. Canning moved the order of the day, for the House resolving itself into a committee on the act of 3 Geo. 4, c. 60.

Sir *T. Lethbridge* assured the House, that he retained the entire opposition which he had, on a former evening, stated to the measure. He would not, however, object to the Speaker's leaving the chair, because he was desirous of hearing, from the mouths of ministers, an explanation of the principles on which their proposition was to be supported. He would, therefore, reserve his observations until the House was in committee.

The House having resolved itself into a committee,

Mr. Secretary *Canning* rose and said.—Although, Sir, it would have been very unusual to offer any opposition to your taking the chair for the purpose of resuming the consideration of a subject in committee, in the same form to which the House had already consented, yet I feel bound to offer my thanks for the courtesy of the hon. baronet and those who act with him, in allowing us at once to enter into an examination of the question, in a manner more convenient and satisfactory than we otherwise could have done, had they persisted in the opposition which they threatened. Before, however, I proceed to an explanation of that resolution which I am about to propose, I will take leave, with the permission of the House, to clear away some general objections to which the whole of the measures have been subjected—objections which, although they might not, if left unanswered, prejudice the principle of these measures, yet might, nevertheless, excite some prejudice against them, by throwing blame on those whose duty it was to propose them. I am further anxious to say a few words on that subject, because it is my earnest desire to free my right hon. colleagues and myself from any thing like a breach of faith, such as has been more than once attempted to be cast upon us, in the course of these proceedings. Most undoubtedly, I did, on the first day of the present session, make a declaration, which I am equally ready to admit I have renewed since, that I was of opinion the present was not a convenient season to enter into a consideration of the Corn-trade, with a view of making any alteration in the laws which affected it. That opinion I have proclaimed more than once. Upon that opinion I have, throughout the whole course of this session, acted; and I now declare, without hesitation, that it still remains unchanged. And still more, that if any one will consider these resolutions with a fair and unprejudiced judgment, they will find that they are characterised by a strict conformity with such an opinion, and are solely intended to enable his majesty's ministers and this House, without inconvenience, to postpone any consideration of those laws, until another session. I am quite ready to admit, that if any thing had been done by us to prejudice the question of those laws, after the declarations we have made to the House, it would be, and deserves to be, considered a breach of faith upon our part. I confess, after the professions and opinions to which we have given utterance, that it is our duty to remove any impressions which have arisen from such an accident, and to conciliate, to the utmost of our power, the prejudices which may have been excited by it; but I not only believe most sincerely that this measure is calculated to do away with any inconveniencies which might attend at this season a general discussion upon the subject of the corn-trade, but I am also of opinion, that so far from its being a breach of faith, it is a preservation of that faith; and, while it is calculated for the benefit of all classes, that it is, above all others, adapted to the preservation of the interests of that class whose rights are said to be more peculiarly affected. If, on the one hand, I am ready to acknowledge that any attempt upon our part to prejudice the general question would be unfair as regards the agriculturists, and unwise and improper as a measure of policy, I hope I do not ask too much, if I wish to ask credit to his majesty's government for a conscientious desire to do their duty to all classes, and to guide their counsels so as to preserve the interests of every portion of the community, whether commercial, manufacturing, or agricultural. In addition to the imputation of a breach of faith, there has been another charge brought against us, less serious I confess, but which I am still very anxious to refute—I mean a something which has been presumed pretty generally, of some sudden change in the councils of his majesty's ministers with respect to the Corn-laws, since that question was brought under the consideration of this House by the hon. member for Bridgenorth. There is, however, still a third charge, in addition to this inconsistency, which has been arrayed in argument against us since the commencement of this discussion. It is stated, that my right hon. friend the president of the Board of Trade, gave, in his place in this House, such an answer, in reply to a question from the hon. member for Shaftesbury, as led to the belief that the bonded corn would not be meddled with this year. I do not presume to say that this account of that answer may not be perfectly correct, although I cannot speak from my own knowledge, not having been in my place at the time when it was given; but I say broadly, that if that answer was such as left the matter in doubt—if it was worded in general terms, and so as to avoid the possibility of being committed to any specific and decided course—then it was unfair to draw from that answer any such inference as I have used in argument against us on the present occasion. I would contend even, that the right hon. gentleman did what was perfectly right, and consistent with the practice of this House, in the manner in which he worded that reply. Nothing is more common than for a responsible minister of the Crown to evade a question either of the affirmative or the contrary by such expedients; and though I am quite certain that the hon. member for Shaftesbury is altogether blameless of any want of courtesy, either in seeking for that reply, or in allowing such inference to be drawn from it—and although I am equally certain he meant nothing more than to obtain information upon a subject which affected many general interests; yet surely he cannot be so innocent as not to see what consequences might result from such unguarded declarations. Would he consider it to be either politic or prudent, or at all consistent with the duty of a minister, at the head of the trade of this country, to give answers upon the subject of his intentions with regard to a particular commodity, which might have the effect of raising that article perhaps 50 per cent by the very next post. He would, I conceive, feel it to be perfectly justifiable for a minister, in such a situation, either not to answer at all, or to give such a reply as would avert consequences so injurious to those engaged in the particular trade to which the question might refer. Questions were put every day in that House, the bearings of which were perhaps very little, if at all, understood, either by those who put them, or by those who were called upon to answer them. I myself have been required to give replies, on various occasions, to questions, of which, perhaps, I saw the full consequences better afterwards than at the moment when I was called upon to speak; but I have no hesitation in saying, that had I not evaded them, or altogether refused a direct reply, I might have affected the interests of individuals in a degree which might hardly be credited. By the effect of inadvertently saying "Aye," upon one of these occasions, I might have created a rise in a certain species of property to the extent of full twenty per cent; and, perhaps, by a simple "No," I might have depreciated it to a similar extent. I say, therefore, that questions upon such subjects cannot be fairly asked; and that, when asked, it would be difficult to give any other answer than an evasive one, if a minister would fulfil properly the duties incumbent upon his situation. If I regret any thing upon this occasion, it is, that my right hon. friend did not remain altogether silent; but of this I am perfectly sure, that there was nothing in that answer which he intended to leave open to the inference which had been drawn from it. I hope I have now cleared the question from some of those impediments, with regard to its proposers, which stood in the way of a free and impartial discussion of its own merits, and that the proposition will be allowed to stand upon its own grounds, unconnected with the private views or pledges of those who are called upon to submit it to the consideration of the House. While it remained involved by such opinions or prepossessions, I feel that it was not easy to prevent it from being mixed up with questions which gave it a very unfavourable colour, in the eyes of those who were called upon to decide upon it; but I trust that they will now link it upon it; and I contend they ought so to look upon it, as a question supported by its own merit, and justified by its accordance with the soundest principles of policy. I do not mean to say, that if I thought the principles upon which I call for an assent to this measure right, I would not be prepared to uphold it upon that right; but I have the satisfaction to say, that we have now something more than mere theoretical right to support us, and that we have even in the very short period which has elapsed since this question was agitated, gained the accession of some experience in defence of our principles. I hope it will not be considered an unfair inference, that if I show what we have already done, and the expectation of what we are about to do, to be producing great good, I may be allowed to anticipate still greater good from the consummation of our intentions. The account of what we proposed upon the subject of the bonded corn reached Liverpool on Wednesday morning; and on this day there are letters in town, one of which has been put into my hand just before I came down to the House. It is not from any friend of mine, nor an acquaintance, nor a political supporter either of mine or of my right hon. friend who succeeded me in the honour of representing that city in this House; but, on the contrary, from a gentleman decidedly opposed to me in politics. I know him, however, to be a a man of high honour, unquestioned integrity, and possessing great estimation as a mercantile character in the city where he resides. In this letter, dated from Liverpool, an extract of which I shall take the liberty of reading to the House, he says, "there has been a slight improvement to-day in Manchester goods, but the moment it became known that it was the intention of ministers to introduce a measure for our relief, by removing the restrictions which kept the bonded corn out of the market, cotton could not be obtained at an advance of five per cent; and there seemed to be a very general restoration of confidence, arising from the feeling that government would do all in their power to relieve the sufferers." This was the language of one letter. Since I entered the House, however, I have received another, which is also not addressed to me, or to any friend of mine, and I believe the writer to be opposed to me in politics. I know, however, that he is a person of respectability. His letter, dated 3rd of May, runs thus:—"The account of what has been proposed by ministers has made us all alive, and led to a very general improvement in trade. Holders of cotton are all speculating upon a rise; and there are no sellers to day." Surely it could not be said, after this, that the measure recommended is not founded upon good principles; and, even if the practical effect may be in some measure over-rated, it must be a matter of congratulation to its proposers, and an encouragement to perseverance, when they see that the expectation of its effects is likely to produce a return of that confidence, without which the manufacturers cannot hope to be rescued from their present difficulties. I am quite prepared to admit that, because there is so much good anticipated from the first proposition —that of the admission of bonded corn— we are not therefore to infer that this is an argument for the second proposition. The good of the first proposition is plain and immediate; that to be anticipated from the second is distant and depends on contingencies. The first proposition may stand alone upon its own grounds; but, although the second may rest upon a somewhat different foundation, it tends to the same principle. We are, Sir, with regard to the opposition to the second measure, driven to one of two propositions—either that the present Corn-laws are to remain the fixed and unaltered future laws of the country, or to declare at once that this is the time to alter them; a time of great distress—of unusual excitement—of extraordinary anxiety. If the latter course is to be followed, then we should be compelled to say, that our opinions are changed with respect to the time for altering the Corn-laws; but the contrary, as I said before, is the result of our reflections. My opinion with respect to the impropriety of that alteration has been confirmed; and the very circumstances which most recommended to me these temporary measures are, that they will enable us to dispense with that alteration of the laws which would prove at this moment highly inconvenient, and would lead to no beneficial result. I have never heard it asserted by any man, even the most strenuous opponent of these measures, that the Corn-laws should not undergo a revision: but I think that, at the present moment, such a revision would be a great misfortune; and I would declare that any man looked ill at our condition, who, complying with the pressure of the present times and circumstances, would persist to the full extent in going into that inquiry which some consider advisable. An hon. baronet has asked us, why we are to do any thing, or what circumstances have called upon us to make any distinction between the present time, and that period in which the hon. member for Bridgenorth brought forward his proposition to the House? I do not myself, as far as regards the question, see any difference either; but I will endeavour to explain why I consider that we are called upon to consent to this proposition. For three weeks before the hon. member for Bridgenorth made his motion, there had been a gradual inclination to a rise in price; for three weeks since there has been the same: so that for six weeks—with the exception, I believe, of the last few days, when we can mark a slight decline—a constant tendency to rise has been visible in the corn market; and that rise has been accompanied by a state of terror and alarm; which, although I do not mean to make any prophecies of famine, indicates an approach to a state which no man can contemplate with satisfaction. The harvest of last year began a month earlier than usual, and the consumption of it began almost with the gathering in of the harvest. This year it may be a month later, and the people be obliged, in the absence of some measure like that now before the House, to subsist upon its produce for fourteen months instead of twelve. In ordinary cases, and under other circumstances, such an evil might, perhaps, be without difficulty averted; but, I ask whether there is nothing in the present state of the country to call for more than ordinary caution and prudence upon the part of his majesty's government? The very fact, that the country will be without a parliament for many months of the present year would be, in my opinion, alone sufficient to justify such caution. I repeat, however, that I do not by any means wish it to be understood that I am predicting misfortunes, which I am well aware may not, and which I hope and trust will not, occur. A fortnight of mild weather, and west wind, may insure us such a harvest as will render unnecessary all the precautions which we are now taking. I maintain, however, that it is as much the duty of government to provide against a possible as a probable contingency. It cannot have escaped the recollection of gentlemen, that, in the year 1816, the prospect of a favourable harvest was changed in the course of a single night, and that the promise of the Monday was totally blighted on the Wednesday. Was it upon that occasion objected to the government when they came down with a proposition caused by this change of circumstances, that they were guilty of vacillation and a dereliction of principle? I know that gentlemen on the other side have said, and will say, that it is time enough to apply the remedy when the evil is found to exist, and that a mild and mitigated harvest may put to flight all the fears which are now entertained. I admit the latter proposition; but I maintain that it is the duty of government to guard against even the possibility of evil, especially when it is agreed on all hands, that it would be inexpedient to have recourse to the natural corrective which the operation of the present Corn-laws would afford. But it has been also objected by the opponents of the present measure, that it is unnecessary, because his majesty's ministers already possess the power of doing that which they call upon parliament to sanction. I am willing to grant that we do constitutionally possess that power, if we choose to exercise it, but I will ask hon. members to look back with me to the history of the last century, and say whether there is not one instance during that period, which may act as a warning, if not an example, to the ministers of the present day. In the year 1766, the great lord Chatham was at the head of the administration of this country, and with him lord Camden, the most popular lawyer this country ever saw, was associated. For a few months nothing could be more popular than their government. A change of circumstances, however, arrived; and, during a period of scarcity, they were induced to exercise the power, which has lately been stated in this House, especially by the hon. gentleman whom I see on the bench below me, as absolutely inherent in government; namely, to take measures suspensive of, and even infringing the law, in order to provide for the salus populi. These eminent men, relying in part on the greatness of their power, and in part on their popularity, took the illegal, but, as every body admitted, the justifiable measure, under the circumstances, of doing the converse of that which it is said we ought to do, if the necessity arises—I mean what was equivalent to stopping the exportation, as we should be called upon to permit the importation of grain. As the law then stood, grain could be exported from this country up to a certain price. Famine stared them in the face, and they laid an embargo, stopping the exported grain. When parliament met, the most violent debates ensued; and, what was singular, every man who spoke in those debates admitted the act was absolutely necessary to be done; yet, because they had done it precipitately, as it was said, and without a due regard to all the circumstances belonging to it, and without a sufficient sense of what they owed, in duty, to parliament—against these two popular ministers, the most stormy debates ensued, and the most violent attacks were made successfully in both Houses of parliament. If, then, in a case in some degree parallel, such was the result—if those two ministers, so superior in talents and popularity to any of those who compose the present administration—became the objects of the most violent and successful attacks in both Houses—because, at a period when parliament was not sitting, they had taken upon themselves the responsibility of advising a measure which was, they considered, called for by the exigencies of the country—is it not a fair inference, to say that the exercise of a similar power upon the part of the present government would be visited with at least equal obloquy, and call down equal opposition? Is it not an equally fair inference, to say, that had the administration to which I allude been able to foresee the opposition by which their measure would be met, they would have waited for the meeting of parliament before they ventured to bring it forward? Will any man, then, say, that his majesty's ministers, with this example before their eyes, are to be blamed, because, foreseeing, or at least seeing, a probable cause for anticipating a case calling for an interference with the existing law, they consult parliament in the first instance, instead of waiting until the crisis comes, and then acting upon their own responsibility? "But," say the opponents of the measure, "you have no need to come to parliament for leave to do that which the constitution empowers you to do—you are the responsible advisers of the Crown, and as such, you have the power of carrying into effect the measure which you now propose." I ask, whether this plea availed lord Chatham or lord Camden, when placed in circumstances where their claim to indulgence was much greater than ours would be, if foreseeing, as we do, the possible occurrence of a situation calling for interference with the existing law, and having the power, which they had not, of consulting parliament in the first instance, we neglected to do so? Sir, what was recommended to us by several gentlemen, but more particularly by the hon. gentleman to whom I took the liberty of alluding, was, let things go on, let the necessity arise, then use the power with which you are intrusted, and then come to parliament for a bill of indemnity. If the circumstances came on by surprise, parliament not sitting, I would have done so, and I would have trusted to parliament for indemnity; but when I see the spirit in which we are catechised for mooting it even as a possibility that we should have occasion to admit foreign corn, what earnest is that of the spirit in which we should be received if we had come afterwards for indemnity? Is it to be believed that the same gentlemen—who consider it as a sin against the landed interest that we conceive it possible the case may occur in which we should wish to act on that discretion—would, if we now acted on that discretion, without their previous knowledge and consent, have opened their arms to us with indemnity, when we came to render an account? Would not the first question asked by them in that case have been, "What! had you no apprehension? Was there no indication of danger? What! were six weeks of a rise in prices nothing?" If we had acted without taking that warning, or without mentioning the fact, can we believe that the same gentlemen who are now unwilling to grant that discretion, would then be so willing to allow that it was justly taken, and would not have thrown the six weeks of a rise in prices in our face? It is now, forsooth, nothing to the purpose, that there is want stalking about the manufacturing districts. But do you believe that if we had acted, and then come for an indemnity, we should not have been asked —"Were there no indications of the necessity?—Was there no discontent?—Were you quite ignorant that there was a small stock on hand? Had you no knowledge that the prices of grain had been gradually looking up for some time? Was there no danger to be apprehended from famine acting upon an excited and disaffected population?" I ask, Sir, if there would not have been no language of this kind, and if we should not have had to encounter still greater opposition than that which bore down men so much greater than we can ever hope to be considered, and if their fate ought not at once to operate as a warning to deter us from a confidence which might prove fatal, and as a light to guide us to that course which is justified by experience? Should we not, I ask, be worse than madmen, if, notwithstanding what we see, and what we know from the records of history, we were to plunge blindly into a difficulty, from which it would be vain to call upon our advisers to extricate us. No other course, therefore, remained to us, but to come at once and ask for the sanction of parliament. Our mere love of what we consider legal and constitutional constitutes all the difference between us and our opponents. The fate of those who neglected parliament operates but as a stimulus to the one course, and as an avoidance of the other. Sir, we may come at last to that crisis which we dread; we may be compelled, if parliament refuses its consent to the measure we propose, and throws us back on the power of the Crown, to make use of the very means which we deprecate; but if we do, the responsibility rests not on us, but on the heads of those who not only desert their constitutional principles by refusing to enact the law, but even seem to think they have a sound argument in their desertion. These gentlemen say we have a power which we may use, and come before their tribunal for freedom from punishment; we wish the power to be granted, as by that tribunal; and that is the sole purport of the present measure. It is not my desire to agitate the country by any unnecessary apprehension. The time for the exercise of such a power may have never been more distant; but it is the desire of his majesty's ministers, founded on the justifiable principle of a sound precaution, to receive such a licence as they may exercise for the benefit of the community, should the necessity arise in those six weeks, when, perhaps, from a dissolution of parliament, they might be unable to apply to it as the repository of that power, and when the danger might be too imminent to endure delay. And never let it be said, that it was a crime in a British minister, that he prefers the sanction of parliament to an arbitrary exercise of the prerogatives of the Crown. Well, then, we ask permission to do, not that which we are by the constitution debarred from doing—for the very argument against it admits our right—but we ask permission to do that, which, if we do upon our own responsibility, we must afterwards come to ask parliament to sanction by their approval. If parliament were not sitting when the exigency occurred, there might be a very good reason for adopting the course which we recommend, unsanctioned by their approbation. But we have parliament sitting, and, foreseeing the difficulty which may arise, we do that, which, if we neglected to do, would deservedly subject us to the imputation of having treated their authority with contempt. We might, perhaps, if we acted otherwise, adduce the case which occurred in the administration of lord Chatham and lord Camden; but we should, if we did so, be justly met with this answer—"True, they acted as you say; but then there was this slight difference between your respective cases. They acted upon their own responsibility, when no parliament was sitting. You foresaw the danger, and yet you did not consent to consult a parliament which was sitting long before the danger which you apprehended had occurred. The responsibility, therefore, rests upon yourselves, and you must take the consequences." The difference of the circumstances makes all the difference of conduct; and I say that they who refuse to give us this sanction must take on themselves the consequence of the objection. So, again, I say, that if the Corn-law was one which, in the course of these debates, any one gentleman had said he was prepared and desirous to let go to its full operation, all these precautions might have been dispensed with. But what would become of the present difficulty? After the difficulty had been experienced, and when parliament met again, do hon. gentlemen think they would come to the discussion with a better temper because it had gone to its full extent? It is, therefore, Sir, that I say to gentlemen of the landed interest that this is their question; and it is for their protection I bring it forward. I bring it forward because I am sure, that till the question can be discussed in another session, probably in another parliament, it is better the law should remain, as it has hitherto done—almost a dead letter in its operation. I am sure that we did good last year by interposing the bonded corn—that we do good now to them by interposing the bonded corn this year—and that we provide for their advantage by taking a power to interpose again between the extreme operation of the law and the consequence to the agriculturists. Sir, it remains to state only the measure of responsibility which we propose to ask of parliament. We propose to ask a sanction for the exercise of the responsible discretion, which is not only admitted, but contended to exist in the Crown, in the case of an emergency. I said, on a former night, that so far from creating an extensive discretion, there was no mode of limiting it, consistent with its object, on the one part, and consistent on the other with a faithful adherence to the assurance that we did not wish to anticipate the discussion of the Corn-laws—that we did not earnestly desire. The resolution which I have to propose to the House is this—"That it is the opinion of this committee, that it is expedient to empower his majesty, by any order or orders of his majesty in council, to permit, under certain regulations, and for a time to be limited, the entry, for home consumption, of an additional quantity of foreign corn, meal, or flour, subject to the duties which may be imposed by any act to be passed in this session of parliament." In the course of the former debate, I observed, that there were three modes by which the proposed resolution could be restricted; first, by the imposition of a duty; secondly, by a restriction as to price; and, thirdly, by a limitation in the quantity. Upon that occasion, an hon. and learned gentleman opposite objected, and with great appearance of justice, to the first of these modes—the imposition of a duty; while another hon. member expressed himself unfavourable to the second, upon the ground that it fixed too low a maximum of price. Now, I am disposed to yield to the suggestions of both the hon. members; and, doing away with the limitation as to price and duty, to retain that of quantity alone. Another hon. gentleman suggested a limitation in the price, and proposed that wheat should not be admitted until it had risen to 65*s.* the quarter. This appears to me, on reflection, to be liable to the same objections, that it may be considered as fixing the rate at which importation should, in future, always take place. In one state of the country 65*s.* might be a very high price, and might press very heavily, whereas, in a more flourishing condition, it might be comparatively cheap; and this variation in the pressure of the same nominal amount of price appears to be a decided objection to this mode of regulating the importation. For these reasons, I think that the third mode is the best; namely, a limitation of the quantity to be imported; by this mode we leave the Corn-laws exactly as they were: we lay down no new principles; create no prejudices. It becomes a mere temporary measure in all its circumstances, accomplishing the object for which it was intended, without leaving any sting behind. As to the quantity beyond which importation shall not extend, that must be in some degree arbitrary; but, in the absence of any more commanding principle of action, I propose such a quantity as, together with the corn to be released from bond, shall make one half of the greatest importation ever made. According to this mode of estimating the quantity I shall propose 500,000 quarters as the limit in point of quantity. I do not know how to explain the nature and meaning of that limitation better than by reading the heads of a bill (worded technically of course, and subject to revision and correction) which I mean to found upon the resolution with which I shall conclude.—The right hon. gentleman here read the heads of the bill, which were as follow:—"Whereas an Act has been passed in the present session of parliament, to permit the entry for home consumption, of the foreign grain, meal, and flour, which were in the warehouses of the United Kingdom, on the 2nd of May, 1826; and it may be expedient, from circumstances which cannot now be foreseen, to admit, before the commencement of the next session of parliament, a further limited quantity of foreign corn, for home consumption, before such corn would be admissible under the laws now in force, relating to the importation of the said corn.—Be it therefore enacted, &c.—That it shall be lawful for his majesty, at any time, from and after the close of the present, and until the commencement of the next session of Parliament, by and with the advice of his majesty's Privy Council, to issue an order, or orders, to permit the entry, for home consumption, either of the whole, or of any proportion, of the foreign wheat, and of flour made of wheat, which may be in the warehouses of this country at the date of the issuing such order, or orders, respectively, Provided always, that the quantity of foreign wheat or flour so to be admitted under such order or orders, shall not exceed 500,000 quarters (500,000 quarters in the whole). Provided also, that no such order shall be in force for more than two months from the time of its being issued; and that any wheat, or flour made of wheat, in bond, which may have been included in such order, and which shall not have been taken out and entered for home consumption, according to the terms and conditions to be specified in such order, before the expiration of the period specified in such order, shall not be entitled to the benefit of such order.—That it shall be lawful for his majesty in council, by any such order as aforesaid, to require, as one of the conditions for admitting such foreign wheat, or flour, to enter for home consumption, that it shall, upon such entry, pay such duty as the said order may direct, not exceeding any duty now imposed under the act of his present majesty, entitled 'An Act relating to the Importation of Foreign Corn.'"

By proposing to limit the importation of corn to the quantity provided for in the bill, I think we shall have fully provided for the probable wants of the people during the interval between the two parliaments. That is the great object which his majesty's ministers have had in view, and whatever objection may apply to the measure, either in principle or detail, I trust we shall, at least, be free from the imputation of having acted with bad faith towards the landed interest. It is an imputation which, as far as I am concerned, I most unequivocally disavow, and I can answer with equal sincerity for my colleagues. At all events, I am convinced, that we should not have discharged our duty, if we had taken the responsibility upon ourselves, and had declined to apply to parliament for their sanction to the measure which I have now the honour to propose. The right hon. gentleman concluded by moving the following resolution:—

"That it is the opinion of this Committee, that it is expedient to empower his majesty, by any order or orders of his majesty in council, to permit, under certain regulations, and for a time to be limited, the entry, for home consumption, of an additional quantity of foreign corn, meal, or flour, subject to the duties which may be imposed by any act to be passed in this session of parliament."

Mr. *Carus Wilson*, as an humble representative of the landed interest, felt that he had little pretensions to claim the indulgence of the committee; and yet he did trust that, for the little he had to say on this occasion, he should be heard with some degree of attention. Upon a question of this kind, he thought the House would care but little whether the individual who addressed them was possessed of his 2,000*l.* or his 10,000*l.* a-year: in either case he must have his honest opinion, and would be entitled to deliver it. And there were hearts and judgments in that House which would neither deny him that privilege, nor disown that opinion in a time of great public pressure. It had not been his good fortune to hear, on a former evening, the speech of his hon. friend, the member for Bridgenorth, upon the general question of the Corn-laws; but if he should have the honour of possessing a seat in that House whenever that question again came on for discussion, he would endeavour to come to it prepared with the best consideration which he could give to it. At present he would confine himself to observing upon the temporary measure which had been proposed by his majesty's ministers, with a view to the alleviation of the distress prevailing in the manufacturing districts, that he had no doubt of its sound policy and ultimate efficacy. It was possible that he might be mistaken as to the general discretionary power with which they called upon parliament to invest them; but, as to the specific proposition relative to letting out the bonded corn, he was satisfied that he was not in error. He was one of those who thought there was the greatest probability, that, unless the measures which had been thus propounded were adopted by the committee, the deepest and most extensive distress would be experienced, ere long, in the country. If the more general measure, however, recommended by his hon. friend, should hereafter be found to be more beneficial in its nature, then, he did honestly declare, it should have his support in the first instance; his most cordial recommendation in the second. But that was not the question at present. The question was one respecting a severe public pressure in a very populous portion of the kingdom. That being so, it did not matter to him, as a country gentleman, whether his income, in consequence of the adoption of these measures of relief, was to be high or low, great or small, during the period of their operation. No: it was of little consequence that he should be deprived of some things; that he should lose a few luxuries. He could be content to live on the food of his ancestors [a laugh]. It was not for him at such a crisis to look to these matters of private interest only; he was bound to look at the condition of the poor, at their wants, at the necessity of relieving them. And having, at all times, the greatest confidence in the wisdom of his majesty's government, and in the feeling and propriety, especially, with which they had introduced these propositions, he should give to them his willing support.

Sir *Thomas Lethbridge* said, he rose under great difficulties, to speak upon this question, after the right hon. Secretary, who had addressed himself to it in his usual agreeable and fascinating manner. At the same time, and although he should probably find himself in a small minority in that opinion, he must declare, that he was by no means satisfied with the case which had been made out by the right hon. gentleman for these measures. His case was built on probabilities, and by no means proceeded on facts; and he had laid no ground to justify the extraordinary apprehension of such a calamity as a famine. He had not heard any attempt to prove that such a case was in the slightest degree likely to occur during the recess, or the dissolution, of parliament. And yet the very ground upon which the right hon. gentleman sought to rest his application to that House for the investiture of government with the powers referred to in the bill of which he had just read a draft, was this extreme case of such a fearful visitation as famine. The right hon. gentleman had argued all along upon what must come to pass if such an affliction should next autumn befall the country. But since no reason could be assigned to justify such apprehensions, he was not disposed to give the ministers of the Crown such powers as they now wished to have confided to them. He understood the right hon. gentleman to propose that 500,000 quarters of foreign wheat should be admitted into our ports within a certain period of the present year, such importation to be regulated by provisions similar to those of the act of 1822; and though the right hon. gentleman had not specifically stated at what duty this corn was to come into the country, he (sir T. L.) apprehended he meant it to be about 12*s*. the quarter. Now, he could see no difference, if the fact were so, whether 2,000, or 200,000, or 500,000 quarters were to be so imported, at the discretion of government. That discretion, it would be admitted on all hands, was only to be justified in its exercise, in the event of corn reaching here what the right hon. gentleman called a famine price. But what that famine price was, the right hon. gentleman had not remembered to state. He rather hinted that it was 65*s*. But surely 65*s*. per quarter for English wheat was not fairly to be considered as a famine price by the parliament and the government of this country. If it was, he must be allowed to say that there was a very great difference between the views of the present government and the government which, in 1822, acted upon the statute then passed for allowing a limited importation at a certain duty. It had been said by one hon. member, that 60*s*. was a sufficient price for the landed interest. Another hon. gentleman took 65*s*. to be a sufficient price; and yet the right hon. gentleman gave the committee to understand, that it was proposed by government that when the price of wheat had reached 65*s*. the quarter, that should be the price which should authorize them to admit foreign corn to the tune of 500,000 quarters. Now, the only consolatory passage which he had heard in the speech of the right hon. gentleman was, that he meant to limit himself to an importation of 500,000 quarters only. The foreign wheat, which, by the first of the two measures propounded by government, would be loosed from the warehouses in which it had been bonded, added to this amount of 500,000 quarters, would make an aggregate of foreign corn in the market of about 1,000,000 quarters. In his conscience, he believed that the bonded corn which would be loosed would amount, at least, to 400,000 quarters; and, therefore, he repeated, that the only consolatory part of the right hon. gentleman's speech was that limitation of 500,000. It was for this reason that he did not feel so great an objection to the proposition as if it had been to give a power of unlimited importation; which, however, he had an understood right to assume it was meant to give, when the right hon. gentleman first came down and announced his intention of introducing the measure. But though to this extent he had some right to feel less dissatisfied with it, he must still oppose it, as being contrary to the recorded opinion and acts of his majesty's government at so recent a period. For his own part, he quite concurred with the hon. member for Hertford, in calling upon the House well to consider how far, in the event of these 500,000 quarters being admitted, at a duty of 12*s*., it could ever be possible for them to look forward to the imposition of a higher duty on future importations.—The right hon. gentleman had carried the committee a long way back into the history of the country; in short, to the year 1766, when the great lord Chatham and the great lord Camden were in the government of these kingdoms; and he built his present measures on what he called—not the experience, but the warning, of those ministers. Now, he could not comprehend how the policy of the country at that period could enter into or affect the present question. Was Holland, at that time, as she now was, crowded with warehouses full of corn? Were other states on the continent such large growers of grain, as they now were? Were the means of communication between the most distant countries of the globe as rapid, or as certain then as at present? Or was the intercourse between all the nations of Europe as facile and commodious for the purposes of commerce as at this moment? How different, too, was the case of our own country at that period, seeing that she was then approaching to a state of famine, from having been a corn-exporting country. Nothing like this state of things, however, existed in our time. We were no longer an exporting, but an importing country, as to corn; and an argument founded on our condition in this and other respects in 1766 was a mere fallacy. There was no foundation for the assertion of a similar case of approaching famine, and the whole of that part of the right hon. gentleman's speech was a piece of reasoning contrary to common sense and real facts. If there had been any truth in the assumption upon which it at all proceeded, it would have been the duty of government to assist the House with its superior information on so important a subject. Not being able, therefore, to see upon what grounds the argument of the right hon. gentleman proceeded, he must declare that, however anxious he always felt to listen to any measures which were recommended by that right hon. gentleman's powerful eloquence, and supported by his powerful influence in that House, still he was not to be carried away by what had that night been said by the right hon. gentleman; who must excuse him for observing, that his speech had by no means convinced him that the government on this occasion were entitled to the support they asked. He could not help thinking that this was the last time upon which they were likely to discuss the corn question for some time; for, if the duty of 12*s*. were once fixed, it would always be a precedent to the prejudice of the landed interest.

Mr. *Portman* said, he was certainly one of those who had been most opposed to the resolution in question, in its first stage; for he did not believe the distresses of the districts in which the greatest suffering existed to have arisen either from the high price of corn or the scarcity of money, but from a want of employment on the part of the workmen, originating in a deficiency of credit experienced on the part of the manufacturers. With respect to the second resolution—that which was now more immediately under discussion—he fairly confessed, that the view he had originally felt disposed to take of it was much changed. As an agriculturist, as a landed proprietor, and as a representative of an agricultural county, he was not prepared to take upon his own shoulders, either for himself or for his constituents, that degree of responsibility upon a question like the present, which, he conceived, ought justly and properly to be borne by his majesty's ministers. He considered his majesty's government to be a responsible body. Whatever consequences might follow from the opening of the corn trade he thought they must be chargeable with; and, as a country gentleman, he would throw back upon their shoulders the degree of responsibility which they had attempted to throw on the landed interest. If by these measures they did an injury to the agriculturists, let that injury be upon them. Indeed, as far as injury went, they had inflicted a severe blow upon the agricultural body already, for they had told the House that there was a probability of the price of corn rising; and, that, therefore, it was necessary to permit this importation. But he fully agreed with an observation which had fallen from the right hon. gentleman, that it was most impolitic at all times to dabble with the Corn-laws; and he did believe, with the same right hon. gentleman, that it was perfectly impossible, at the present moment, permanently or effectually to settle that question. And he did so, feeling that whenever they came to its discussion, his majesty's government ought to be prepared with some proper and complete measure to replace the now-existing law. Much, therefore, as he respected the opinions of his hon. friend near him, he could not willingly allow the landed interest to take up the burthen of so fearful a responsibility as they would be assuming by rejecting the present proposition. At the same time he protested, in the face of the House and of the country, that, for his own part, he was prepared to go into the whole question of the Corn-laws whenever the government should be so, provided the latter came to it with some such adequate and efficient measure to propose as he had spoken of. He made these observations the rather, because of the dabbling in this momentous subject which had already taken place, owing to the admissions which had been made in parliament by members of the government, that the Corn-laws, on their present footing, were inefficient. This, itself, was a most dangerous dabbling; but, if government were not vested with the temporary powers which they now asked for, he apprehended that the consequences to the country might prove of a distressing and dangerous nature. The hon. gentleman concluded by declaring that he should support the resolution.

Mr. *H. Sumner* conceived, that the right hon. Secretary for Foreign Affairs had argued as if the country were either in a state of actual famine, or approaching to such a state. This was made the ground of justification of the measures now proposed. But it was a singular piece of inconsistency on the part of his majesty's ministers, that whereas, on the 18th of April last only, they had declared that the country was not in a state to permit of the effecting any alteration in the Corn-laws, they now came down with propositions directly affecting the principle and altering the operation of those laws. They could not say they were taken by surprise; for the only difference between that period and the present was, that then the same distresses existed, but now they had broken out into acts of violence and outrage. If they were taken by surprise, the fact spoke but little for their foresight. If they were not, their present proceeding was one of extraordinary inconsistency with their recent declaration. For his own part, he had no objection to take to himself his full share of that responsibility which the hon. member for Dorsetshire had said he threw from him. The country, in his opinion, called on the landed interest to assume that responsibility, and he should oppose the resolution of one of his majesty's ministers, the right hon. the President of the Board of Trade, although one of the committee who prepared the bill, the principle of which was so directly affected, had ever since been, by his votes in that House, actually trenching upon it. —"Last year," said the right hon. gentleman, "when permission was given to take out foreign bonded corn at a certain duty, that permission had not been attended with any bad consequences to the landed interest." No: but last year the poor-rates were by no means so heavy as they now must be by reason of the distresses of the manufacturing districts, upon the landed interest. The landed proprietors, who would be prejudiced by these measures in the sale of their produce, would now have to pay their increased poor-rates. This burthen they would have to meet in the face of an importation of 500,000 quarters of foreign corn. In respect of what had fallen from the hon. member for Wootton Basset (Mr. G. Philips) about the advantage of low prices of corn, he begged to say that, with the exception of two years only, since the Corn-bill was passed, he did not recollect any period at which it had not happened, that when the prices of corn were high, the country was in a state of general prosperity; or when those prices were low, that it was not in a declining condition. He had the greatest objection to any alteration of the principle of the Corn-law. If that law was to be neutralized or altered, ministers should have brought on the whole question of those laws last year. At present he was very fearful that the duty they would propose would prove no protection to agriculture. Whenever the ports were opened, it would be found that our agriculture could not sustain itself. Closed ports until our corn reached a certain price was a sine qua non for the welfare of our landed interest. The right hon. gentleman had asked what would be the consequence of not having made some such provision as he proposed, if any further accidents fell out during the recess of parliament? He begged in reply, to ask whose fault would it be if there were no parliament? His hon. friends were very much belied if it was not their intention within two months to have a new parliament. But, supposing the present one to last a month longer, in forty days more they could assemble another; so that very little difficulty of the kind suggested by the right hon. Secretary need really be experienced. He should oppose the resolution.

Mr. Secretary *Peel* said:—Sir, since I have had the honour of a seat in parliament, I do not remember to have heard such unfounded charges of inconsistency as those which have just been advanced against his majesty's government. I am anxious, Sir, to declare my entire concurrence in all that has been said upon the question before the committee by my right hon. friend. And, at the same time, I will again declare, that if I had now to vote upon the proposition of my hon. friend, the member for Bridgenorth, I would vote precisely as I did upon the very day to which the hon. member for Surrey has referred, the 18th of April last. Had I possessed, on that day, the gift even of foresight—and had I come to such a discussion with all the benefit of that deliberate reflection and enlarged knowledge upon the subject, which the debates upon it may be supposed to have subsequently furnished me with—and had I been cognizant of all those charges of vacillation and inconsistency which have this evening been urged against his majesty's ministers — yet, Sir, founding my decision upon what I believed to be the best ground, and with a view of ensuring, at a future day, a calm and unimpassioned discussion of the Corn-laws, I would as certainly have voted, upon looking at the present circumstances and situation of the country, against the motion of my hon. friend, the member for Bridgenorth, for entertaining the proposition he then submitted to the House, with a view to the permanent arrangement of the law respecting the importation of foreign corn. I see no well-founded charge of inconsistency against his majesty's ministers, because at this time they propose to parliament the measures which my right hon. friend has propounded to the committee; —because they are applying to the legislature for that discretionary authority, with which it may be a matter of prudence and a means of safety to invest them; or because they call for such a provision, in the apprehension that there may be a grievous pressure experienced by the people from the possible rise of agricultural produce beyond its present prices. Looking at the expediency of protecting those classes of the community who would be most affected by a rise from future pressure of that kind, my right hon. friend proposes to arm the government with powers of a discretionary nature, in order to prevent any such pressure, which might otherwise be likely to be experienced in the manufacturing districts. My hon. friend, the member for Dorsetshire, whom I have heard this evening with so much pleasure, says, that he throws back upon his majesty's government the responsibility which he considers we would throw upon the landed interest. Sir, we accept that responsibility. Our proposition is, that such a responsibility should be imposed upon those with whom alone it ought to be trusted; namely, his majesty's government. But we say to the gentlemen of the landed interest, "If you refuse us these powers, the responsibility is no longer on our shoulders, but on yours." The whole effect of the motion which is submitted to the committee will be, to place those powers in the hands of the Executive government. My hon. friend, the member for Dorsetshire, thinks that no case is made out as to the necessity of low prices of corn. But my hon. friend, the member for Surrey, charges his majesty's government with vacillation and inconsistency; because, after negativing the vote which the hon. member for Bridgenorth asked the House to come to upon the 18th of April, in respect of the propriety of remodelling the Corn-laws altogether, they now propose the admission into the country of 500,000 quarters of foreign corn. Why, Sir, if this sophistry is to avail, let me ask where is the consistency of the hon. member for Surrey himself? He says, that we should have brought forward the whole question of the Corn-laws before this period. But what have been his votes on the subject? When the hon. member for Bridgenorth proposed to discuss the corn question, did he not vote against the discussion? And when it was proposed to let out bonded corn at a duty, in a former year, did he not support the proposition?

Mr. *Sumner*.—I did not vote for it.

Mr. *Peel*.—But did my hon. friend oppose it? Was he not prepared to admit foreign wheat, under such circumstances, into the market? I do appeal to the landed interest, to those members of it who are now present in the committee, and to that fairness and manliness which I know them to possess; and I call upon them, if they wish to prohibit the admission of foreign corn generally, with a view to prevent competition, and have yet been willing, under some circumstances, to let it come in; if they see no inconsistency in this, I say, do let them feel rightly for those who propose to parliament a measure which may have the effect of alleviating the pressure which weighs so heavily on the manufacturing community. Sir, I can have no prepossessions against either the manufacturing or the agricultural interest. My connexions with both of them would effectually prevent me from being opposed to either. With the manufacturing interest I am connected by many important ties; but, as far as personal interest is concerned, I believe I may say, no man is more deeply concerned in the welfare of the agriculturists than myself. My hon. friend who spoke last has said, and I have heard the observation repeated more than once by others, that there is no use in increasing the supply of corn in this country, and lowering its price; since they who are in want of money altogether cannot buy it at any price, however low. Why, Sir, what miserable sophistry is this! To suppose that there are no classes in this country except those who are abounding in wealth, and can command all luxuries—and those who are in the other extreme, and unable to purchase even the necessaries of life. But I put it to my hon. friend, whether there are not between those two classes many intermediate ones, who possess, in various degrees, the means of purchasing some of them the luxuries, some the comforts, and some the necessaries, of life? Is it possible to contend, that no immediate advantage will result to the other classes from lowering the price of corn to them, if it shall have attained such an additional price in the market as to render it dearer than it is at present? Look at the distressed classes of manufacturers; look at the number of unemployed persons, who are suffering: at Rochford there are 10,000, at another place 12,000, at another 15,000. How are they supported at this moment? Why, Sir, they are supported by the benevolence of their neighbours. And if the effect of the measures proposed by my right hon. friend be to enable those neighbours, with the contributions raised for their relief, to purchase additional supplies of corn, to be afforded to those who have no means of purchasing it, what folly is it to contend that lowering the price of corn, and thereby enlarging the quantities which such monies will purchase, will not relieve the unfortunate people in question? When my hon. friend says, that no case had been made out, I would ask what it is he means? Quite sure I am that I may appeal to the committee whether, in the very fact of those existing distresses, such a case is not made out? I am so confident that the general conviction of the distress which now prevails in the manufacturing districts must have come home to the mind and knowledge of every man, from the information which has been supplied on that head by the daily newspapers, as to be perfectly satisfied, that the same motives which induce parliament to concur in the proposition for letting out the bonded corn, will also induce it to give a discretionary power to the government to do precisely the same thing, or a measure of similar effect; that is to say, to admit 500,000 quarters of foreign corn into our ports. I have listened with great attention to the arguments of my hon. friend, the member for Somersetshire, but he seems a little to misapprehend the propositions of my right hon. friend. My right hon. friend does not propose, as the hon. baronet supposes, a specific duty of 10*s*. the quarter on the corn so to be imported. But why does my hon. friend, of all men, assuming even that his notion is correct, enter his opposition to such a duty. In the last year, when foreign corn was admitted, it was admitted at 10*s*. only; and this 10*s*. has since been assumed, I think, as the maximum of duty to be imposed on future importations. But, in point of fact, Sir, in the very first instance, when some vague proposition was made on the subject, 12*s*. was suggested by my right hon. friend. He departed from the precedent of the former year: he did not take 10*s*. a quarter, but he did take 12*s*. per quarter for the new duty. How can there, I ask, be a more conclusive proof than this, that if the duty now to be fixed were a definite duty, it would be likely, even at 12*s*. to be permanent or prejudicial to the landed interest? But my hon. friend, the member for Somerset, is alarmed, because, as he observes, we positively mean to admit 500,000 quarters of foreign wheat. That, Sir, is by no means necessarily the case. My hon. friend, upon looking at the bill about to be brought in, will find that there is an express provision in it,—in the event of 200,000, or even 100,000 quarters proving sufficient to meet the exigency of the case,—that there shall be no obligation upon his majesty's government to admit the whole 500,000 quarters. The 500.000 quarters compose the maximum quantity, which, in any event, can be admitted in virtue of this proposition; but there is an express power to limit the amount of the importation to any degree, according to circumstances. There is another observation, (to which I have before had occasion to reply) that I have heard again suggested; namely, it has been said, that to pass these measures would be to make an unbecoming and dangerous concession to an infuriated and destructive mob. No man, Sir, would be more disposed to resist and oppose any concession of that kind than I should be. From such a quarter, no man could be less willing to countenance any demands, be they what they might, than myself. But when I am told of unworthy concessions, let me observe, Sir, that there are two sorts of courage which may be displayed in respect of them: there is the courage of refusing to accede to such demands at all; and there is another kind of courage—the courage to do that which in our conscience we may believe to be just and right, disregarding all the clamour with which these demands may be accompanied. I fairly own that I feel it to be in our power to manifest this species of courage, and to laugh at the clamours of the mob. In England, after all, Sir, the mob can do nothing. There is a pervading power in this country, a moral feeling, that can at all times put down any mob. Do not let us, therefore, refuse to take these, or any other, steps which we believe to be right, from any pusillanimous apprehensions of the power of the mob. Now, Sir, I have no hesitation in saying, that the disturbances which have occurred at Manchester and its neighbourhood have been greatly exaggerated. I see it stated in the papers, that for months past applications have been made to me, and requisitions sent up for reinforcements, which have been withheld. I will venture to say that, at no former period of our history have such charges been so utterly unfounded. I have no hesitation in declaring that, suspecting the probability of such disturbances as these, I, months ago, took the precaution, without any application from the northern districts for the purpose, of establishing double the military force which had been for the year preceding stationed in those quarters. I make this assertion, because I see it elsewhere stated, that if these applications had not been neglected, and if more assistance had been supplied, the outrages which have been committed might have been obviated. I say, broadly, that such assertions are totally unfounded. I say that which I believe can be rarely said, that not only was the force in question double, without any application made to me from those districts; but that no applications which have ever been made to me on this subject have ever been neglected. But the fact is, that it is in the power of a very few persons to do a great deal of mischief. Where there is no military force established in the neighbourhood, a very few persons may assemble together, and, attacking a manufactory a few miles distant from a town, break into it, and soon destroy a few power-looms. What, however, I am most anxious to impress upon the committee is, the erroneousness of the apprehension, that any mischief can ensue, in the way of a dangerous concession, from the simple measure now submitted to it. For, although excesses have been committed, yet, by the exertion of the energies of government, I hope that their continuance has been repressed; but I feel called upon to say, that, in many places where distress has existed to a great extent, the privations have been borne by the lower classes with fortitude and forbearance. There have been no disturbances in Yorkshire, where much pressure and inconvenience have been felt; except, indeed, at Bradford, where they have not been carried to any great extent. Yet I must reject the imputation, that his majesty's government have adopted this measure on account of the clamour that has been raised against the Corn-laws; and I must also deny, that the measure is calculated to produce an addition to the poor-rates, by throwing the agricultural labourers out of employ, as has been urged; as I think that circumstances may occur in which the admission of foreign corn may tend to reduce the poor-rates. The hon. member for Somersetshire has charged us with proposing the measure to parliament, without stating facts to support it. We reply, that it is not on facts that it is grounded; it is only on contingencies, as in the event of the next harvest failing, we deem it to be the part of a wise and prudent government to arm itself against necessity; but still the case is not so denuded of facts, but that many might be adduced in support of the measure. I hold in my hand an account of the prices of corn in the last year and in the present, and I find them to be nearly equal; and I cannot account if there is, as is said, a superabundance of corn in the country, how it happens that it should for so long a period maintain its price; because, if we look at the prices of other commodities in the year 1825, and at the present period, we shall find a great disparity: as, for instance, the price of cotton varied in that year from 9¼*d.* to 12*d.* the present price is from 4½*d.* to 6*d.*; Pernambuco had fallen near 100 per cent, as, in 1825, it was from 1*s.* 7*d.* to 1*s.* 8*d.*, now it is from 10*d.* to 11*d.*; coffee was from 84*s.* to 86*s.* now it is from 44*s.* to 52*s.* In all those articles the depression had been tremendous; sugar had fallen from 70*s.* to 50*s.*; rum from 2*s.* 2*d.* to 1*s.* 8*d.*; tallow from 44*s.* to 32*s.*; while wheat, which was last year 66*s.* is now 61*s.*; and oats, which were 27*s.* are now 23*s.* In these circumstances alone, Sir, I think there are facts enough, on which a presumption may be founded, that there is not a superabundance of wheat in the country; and, therefore, my right hon. friend requires that the government should be armed with the power of admitting foreign corn, in case events should render it necessary, for the purpose of avoiding the inconvenience that must ensue, if such an important article should, by any casualty, attain to a very high price. It is a delusion to suppose that foreign corn is, by the present law, admissible directly the price of corn actually reaches 80*s.* That is not the law. The price must be regulated by a long course of averages, so that corn might be, in fact, at 100*s.*, and yet the ports could not be opened for the admission of foreign grain, unless the average of a number of years would make the price of it 80*s.* In stating this fact, I think I perceive a change in the face of an hon. member, which indicates that I here give a solid reason why the whole question of the Corn-laws might be at once opened to a full consideration and discussion; but I take the present measure to be the more simple one, and the better calculated to meet the anticipated emergency; and if I am called upon I shall be ready to vindicate that opinion. The whole question must undergo a revision in the next session of parliament: and if ever there was a measure calculated to insure a thorough and an impartial consideration of the Corn-laws. that measure is the one which my right hon. friend has this night propounded. A large majority of this House decided the other night, that the present period was not a fit one for the consideration of this question, and had seen full reason to postpone it till the next session. My right hon. friend has almost exhausted the constitutional part of this question; yet, perhaps, I may be permitted to say a few words on it. His majesty's ministers have thought it right to ask parliament for its consent to enable them to open the ports, if such a measure should be found necessary, rather than after having exercised such a power without the sanction of parliament, to have to apply to the House for indemnity for so doing. We have, Sir, the precedent of the year 1766 before our eyes; and we there see how the ministers of that day were charged with treating the parliament with disrespect for not having furnished themselves with its authority, in circumstances exactly similar to the present. The parliament, in May 1766, was petitioned by the lord mayor and corporation of London, to adopt some measures to prevent the exportation of corn at a time when a scarcity was anticipated; that, as well as other petitions, was neglected. In June, the parliament was prorogued, without having taken any steps to provide against a scarcity; and, before it re-assembled, corn had reached so high a price, that the king was advised to issue an order in council, laying an embargo on the exportation of that article. The conduct of the king's ministers on that occasion was severely arraigned, and the gravamen of the offence charged upon them was, the not having foreseen, and constitutionally provided against, such a calamity. The king summoned the parliament in November, and at the opening of it addressed it in the following words: "The high price of wheat, and the defective produce of that grain last harvest, together with the extraordinary demands for the same from foreign parts, have principally determined me to call you thus early together, that I might have the sense of parliament, as soon as conveniently might be, on a matter so important, and particularly affecting the poorer sort of my subjects. The urgency of the necessity called upon me, in the mean time, to exert my royal authority for the preservation of the public safety against a growing calamity, which could not admit of delay. I have, therefore, by and with the advice of my privy council, laid an embargo on wheat and wheat-flour going out of the kingdom, until the advice of parliament could be taken thereupon. If further provisions of law be requisite or expedient, with regard to the dearness of corn, so necessary to the sustenance of the poorer sort, they cannot escape the wisdom of parliament, to which I recommend the due consideration thereof." On that occasion, very angry and lengthened debates had taken place as to the disrespect with which the parliament and the country had been treated by the ministers of the day, for attempting to screen themselves under an act of indemnity, instead of fore-arming themselves with the authority of the parliament for their proceeding; and I have no doubt, Sir, that if we were now to suffer the parliament to separate, and, if after its separation, a case should arise to render the introduction of foreign corn a matter of absolute necessity, that the king's ministers would be threatened on all hands with an impeachment, and every word that had been used against the government in the year 1766, would be triumphantly thrown in our teeth. Lord Mansfield had, in the course of the discussion that had taken place on that occasion, used these words:—"I will say, in general, that he is not a moderate minister who will rashly decide in favour of prerogative in a question where the rights of parliament are on their side: and I am sure he is not a prudent minister, who, even in a doubtful case, commits the prerogative by a wanton experiment to what degree the people will bear the extent of it. But, my lords, rashly and wilfully to claim or exercise as prerogative, a power clearly against law, is too great boldness for this country; and of all things in the world, the suspending or dispensing power, that edged tool which has cut so deep, is the last that any man in his wits would handle in England; that rock, which the English history has warned against with such awful beacons;—an attempt that lost one prince his crown, and another both his crown and his head; and at length expelled their family out of this land of liberty to the regions of tyranny, as the only climate that suited their genius and temper—a power, the exercise of which stands branded as the subversion of the constitution, in the front of that truly great charter of your liberties, the Bill of Rights. A minister, who is not afraid of that power, is neither fit for the sovereign nor the subject. I love a bold minister, when he keeps in the true sphere. In times of distress and danger, boldness is a jewel; and, with joy, I have seen bold, even wild, enterprises, succeed, though hardly within the die when undertaken. But the enemies of our country are the proper objects of our boldness—not the constitution." Now, Sir, supported by this authority, I call on the House to grant to the government that power which alone may be exercised by them, without infringing on the principles of the constitution; a power intended only for the prevention of public calamity; a power calculated for the general safety of the people; and, as a friend of the agricultural interest, and convinced that the exercise of that power cannot be injurious to the possessors of land; and, anxious as I am for the permanent and satisfactory settlement of the law respecting the importation of foreign corn, I deprecate most earnestly the rejection of my right hon. friend's resolution.

Lord *Althorp* said, he must oppose the motion, because he considered it nothing less than an indirect and unfair tampering with the Corn-laws, and that it would, if carried into effect, place all the farms in the country at the mercy and disposal of his majesty's ministers. Was it pretended that it was absolutely necessary to dissolve parliament before the ensuing harvest? And, if not, surely there was sufficient time to enter minutely into the whole question, and set it at rest.

Colonel *Davies* said, he was anxious to see the Corn-laws repealed; but he took a different view of the present measure from his majesty's ministers, though he should vote with them upon it. The rise in the price of corn, which the right hon. Secretary had brought forward in proof of a deficiency, might be accounted for in a different way. During the time that our bankers and merchants were failing, there had been a considerable fall in the price of agricultural produce; but the panic having now, in a great measure, subsided, and confidence been partially restored, it was but natural to suppose that it would again rise. With regard to the fall in the price of cotton, and various other articles, quoted by the right hon. gentleman, it was well known, that vast speculations had taken place in all of them, and produced convulsions from which they had not yet recovered. There was, therefore, no just ground for the inference drawn from the rise in the one, and the fall in the other, that there was a deficiency of corn in the country. The measure which he would have preferred, and which government ought to have pursued, was a complete and final revision of the whole system—a revision to which no valid objection had been offered, nor against which even the semblance of an argument adduced. If ever there was a time when this act of justice was called for, it was the present; for all the agitation, all the alarm, to which it could possibly have given rise, had been produced by the present measure.

Mr. *Benett* said, that though he had lost none of his repugnance to the measure now proposed, yet he should not make any very determined opposition to it. A right hon. gentleman had compared the prices of corn and cotton, but he did not think that a fair mode of stating the question. There was no similarity between them, and there was no ground of comparison. The right hon. gentleman had contrasted the fluctuations in the prices of wheat, as compared with other articles, in rather an unfair manner. He would contrast it in a way more likely to lead to a correct conclusion: he would compare the ten years preceding the year 1792 with the ten years preceding the year 1826, to show that wheat had not kept pace in its rise with other articles. The increase of price in the latter ten years over the former was as follows, in the undermentioned articles:—wine, 190 per cent; shoes, 200; hats, 200; bricks and tiles, 100; coals, 75; glass bottles, 72; butter, 25; labour (annual) 60; labour (daily) 33; wheat only 25 per cent; therefore the increase in favour of wheat was not as great as had been represented.

Sir *W. W. Wynn* said, he was glad that the House had agreed to give out to the country the corn in bond, as he conceived that it would prove a most seasonable relief to the unfortunate persons who were unhappily suffering from want of employment. He gave his most cordial consent to this motion, feeling, that if it should be found necessary to act upon it, a great and seasonable relief would be afforded to the country.

Mr. *Whitmore* said, that it was not his intention to occupy much of the time of the House, and he should not have risen at all, had it not been that frequent allusions had been made to the measure which he had brought forward, and so many charges thrown out against him for bringing it forward. Ministers had thrown in his teeth, that he had adopted a bad course, by agitating the question, after they had decided against any alteration of the law during the present session; but the proposals with which they had now come down to the House bore ample testimony, that the course which he had pursued was salutary and proper. They deprecated the time which he had chosen to bring forward his motion, and gave him reason to believe that he would meet with their support, if he delayed it until the information which had been procured, had had time to make a due impression. But, how stood the fact? He gave notice of his motion early in the session, and fixed a day in March; but he did not bring it forward until April, from an apprehension, that it might affect the future harvest. Now, he could not see, if the 10th of April was an improper time for bringing forward his motion, how the 5th of May should not be so also; what was desirable in this case on the one day, must surely be desirable on the other. The discretionary power which was sought by ministers was most dangerous, and pregnant with more alarm than that which he had proposed. Look how the question was now met. He would have preferred that manner of treating it which would have led to the most ample discussion, and the most general information; but this desirable end was defeated by the present proposition. No new light had been acquired; and, from the narrow view which was taken of the subject, no new light could be struck out. He could not see how his conduct could be arraigned as injudicious. He might retort the charge, and assert, that the part which was acted by his majesty's ministers had not been that of discretion. The hon. member for Dorset had complained of him for taking up a subject to which he thought no individual in the House was competent; but if he had not persevered in bringing it forward, the period at which any effectual revision would have taken place, would have been still further removed than what it now was. The hon. member for Dorset took a strange view of the duties of members of parliament, if he thought that the importance of a question ought to deter them, individually, from meddling with it. He had exposed himself to much abuse and obloquy by agitating it; but he was conscious that he had done good. With regard to the present measure, he must confess, that he thought it desirable, before the present question was settled, that the House should hear some account from his majesty's ministers of the way in which they intended to exercise the power which they now sought; for though it might not be proper to settle either the time or the rate at which corn should be imported from abroad, it would be a matter of great alarm to agriculturists, if the question was left in that naked state in which it now was, and without that security being afforded them which he deemed to be necessary to their welfare. When the agriculturists came to know that the bonded wheat was to be released, and 500,000 quarters imported from abroad, in case of necessity, prices would fall, great alarm would be the result, and that alarm might last so long as to be very injurious to them. Supposing they were forced into the market just now, and it was afterwards discovered that there was an actual deficiency of grain in the country, it was evident that they would suffer great injury, and that the benefit of the measure would rest with the foreign grower. He should, therefore, like to know how the measure was to be carried into effect.

Mr. Secretary *Canning* assured the hon. member, that he had much mistaken him if he supposed that he meant to impute blame to him for the motion he had made. He had certainly spoken of the inconvenience to which it had put them, but he had never thought of denying the perfect right of the hon. gentleman to originate such a motion.

Lord *Milton* said, he had no disposition to enter at any length upon the question before the House. Whatever vote he might ultimately give, he should make no opposition to the measure in its present stage. What he had risen principally to notice, was the speech of the hon. member for Denbighshire. The alteration which had taken place since Tuesday last, might convince him that the power of the landed interest was neither unseen, nor unfelt. He had no wish that it should be either unseen or unfelt. If in any observations which he had made respecting country gentlemen and landed proprietors, to which body he had the honour to belong, he had given them cause to feel aggrieved, he could safely say, that those observations were made with the view of attracting their attention to the subject. If they would do so, he felt persuaded that they would soon arrive at the same conclusion to which he had come; namely, that their own interests, and the interests of the country would be best promoted, by applying the same principles to corn, which had been lately introduced with respect to other commodities. The hon. member had said, that 500,000 quarters would empty the granaries of the north, and had expressed a hope that the emptying of the warehouses in Lancashire would follow. That was the view which ought to be taken of the question: that was the true sense in which it ought to be looked at. Let there be an interchange of commodities—let there be freedom of commerce upon the broad principle of mutual advantage—and general prosperity would be the result. That prosperity could not be attained by supporting any one class of his majesty's subjects, at the expense of another. If the landowners would attend to this advantage, and to the thousand beneficial consequences which would result from it, they would see that there was but little ground for the alarm respecting free trade, which they appeared to entertain. Although the repeal of the Corn-laws would have a tendency to reduce rents, and to lower the price of corn, yet, when they considered the various advantages which they would derive from it in different ways, they would see that the loss on the one hand was countervailed by the gain on the other. With regard to the proposition itself, he must say, that the House had been grossly misused by his majesty's ministers. What was the proposition which they had made to the House, on Tuesday last? They sought the power of admitting foreign corn, at a duty of 12*s.* per quarter; but an hon. member for a Welsh county happened to say, that 65*s.* was a fair price, the price he presumed at which the hon. member could afford to raise his own wheat, and the right hon. gentleman instantly caught at it; yet, in the course of three days, he had contrived to change his mind, and now came down with a proposition, in which both duty and price were left wholly out of the question. He did not quarrel with the proposal to import a certain quantity of grain; but he did think that so many changes of opinion were but little creditable to the proposers, and that the House had good cause to complain of them for not knowing their own minds. [Mr. Canning said, across the table, what use, then, was there in such discussions?] True, ministers took care to avail themselves of this advantage. Formerly, their plans were first arranged and settled among themselves. The use of a cabinet or of a privy council was, that they might do so; but the system was now changed, and, instead of coming forward with a well-digested plan, they asked for advice and information, and acted as they found the balance of votes in the House likely to be for or against them. He hailed the proposition under discussion as a harbinger of other measures to be brought forward next year; but ministers had acted far from wisely. Tampering with the great subject of the Corn-laws, recommending one plan to-day and another to-morrow, and abandoning both for a third scheme on the day following, was much more likely to alarm and inflame the country, than a fair, open, and general discussion.

Mr. *Calcraft* admitted, that the manner in which the Secretary of State for Foreign Affairs had treated the subject that evening did him great credit; but great credit was also due to those who compelled them to adopt this course. Although premature discussion had been censured on a former night, it had had the beneficial effect of occasioning the present modification of the original plan; which modification, he candidly confessed, seemed far less objectionable. What was now proposed was not a settlement of the question of the Corn-laws by a side wind; it had nothing to do with the duty or price; but it gave ministers a power to do a certain definite act, in the contemplation of a state of affairs, which probably might exist during the recess of parliament, instead of requiring them afterwards to call upon both Houses to grant them indemnity for a course which they had been imperatively called upon to pursue. His view of the condition of the country was at variance with that of the right hon. gentleman; but, Heaven forbid that he should set up his notion, formed, perhaps, without adequate means of knowledge, against the deliberate opinion of ministers, when the comfort, happiness, and tranquillity of the whole population was concerned. The pride of opinion should never carry him so far as to risk such sacred interests, even though he felt satisfied that he derived it from the best sources of information. One circumstance he could not understand. Corn at this moment was 7*s.* or 8*s.* per quarter lower than at this period last year; yet ministers then contemplated no such danger as they now apprehended, and to provide against which they were to be armed with extraordinary powers. The very preparation almost created the danger. It was impossible to suppose that these discussions could go forth, with opinions emanating from such high authority, without producing great alarm; but this very circumstance rendered it the more necessary to trust to the responsibility of ministers, and to grant them what they required. At the same time, he must not be considered pledged beyond the present stage. He already saw vast difficulties in the execution of the plan, but he waited for the details before he came to any final decision. From this time forth, ministers took into their hands the power of settling the price of corn; the directors of the Bank had the power, by law, of settling the value of the currency; and the value of the bread of the country, by law, was to be confided to the directors of the Treasury; a heavy responsibility, but better than running the risk of the dangers produced, and threatened, by the bill of 1815. While that measure was under discussion, week after week, and day after day, he, and a miserable few who had acted with him, had warned ministers of the consequences. Their notions were scouted, laughed at, and hooted; but they, nevertheless, persevered in conjuring them not to expose the nation to the peril that must follow the fixing bread at a famine price for the great bulk of the community. He and his friends had been left in deplorable minorities; but he had had experience enough of the proceedings of that House not to be disconcerted, because he was beaten by majorities of three, or even of thirty to one. If his friends would now take his advice, it would be not to divide upon this stage of the proceeding, but to wait to see the whole of the measure, and to contemplate it in all its bearings, recollecting, that to ruin the manufacturing interest was to ruin the agricultural interest also. The Secretary for the Home Department had mentioned a great fall in different articles —cottons, Pernambucos, and other things; and the right hon. gentleman had observed upon the extraordinary fact, that there had not been a corresponding depression in the price of corn. The truth was, that the speculators in cotton and other articles had gone wild; and if the same course had been pursued in wheat, the same consequences would have followed. He would not detain the House longer at present, than to express his hope, that when the bill was introduced he should not be called upon to give it further opposition.

Colonel *Trench* observed, that the sting appeared now to have been taken out of the scorpion's tail; and, although he did not think the measure in its present shape calculated to give much relief, yet he thought it would be cruel to withhold the power to do good which it did convey. He was surprised that no reference had been made to Ireland, which, from its soil and climate, was fully capable of supplying England with corn. There was only one thing wanting in Ireland to make such a plan eligible, and that was habits of industry in the people.

Mr. *T. Wilson* said, that he had come down to the House to oppose the measure of ministers, but that the alteration made in it was so great, that he could no longer oppose it.

The resolution was then agreed to.

HOUSE OF LORDS.

Monday, May 8.

CORN LAWS—MR. JACOB'S REPORT.] Lord *King* wished to mention a subject of importance, inasmuch as it was materially connected with the privileges of their lordships' House. He had lately seen, in a printed pamphlet, a statement which was a gross and a scandalous libel upon the House. He did not mean to say that it was also a false libel; for, libel as it was, it might be very true. But then their lordships well knew that, in the eye of the law, the fact of a libel being true was a greater proof of malice, and only added to the guilt of the libeller. He had seen the statement of which he complained in the first edition of the libellous publication to which he had alluded, and which he understood was now undergoing a second edition. The libel, he believed, would make its appearance in the second edition also, and thus be further propagated. He should now read it to their lordships, and when they heard it, he had no doubt that it would have on them—as had been said of libellous publications in another place—the effect of making their hair stand on end; and he was sure they would agree with him in considering it a scandalous libel and breach of the privileges of their lordships' House. It was a passage of a memoir circulated among the landowners of a part of the continent [Appendix 9 of Mr. Jacob's Report]. Alluding to the postponement of the corn question by parliament, from session to session, it was said, "Our ardent hopes for a rise in the prices of corn, founded on the expectation that England may open its ports, have unhappily again vanished. The new liberal policy adopted by England, with regard to commerce, has not been extended to the corn trade; and the motions of Mr. Huskisson, and Mr. Whitmore, as well as the numerous petitions that were laid before parliament, did not meet with any success. It is doubtful whether they will have a better fate next session, should even a new parliament assemble; the influence of the members of the House of Lords, whose interests (in this instance) are at variance with those of the community at large, being too prevailing." He did not know whether it would be proper to call the printer to the bar, and make him answerable to their lordships for the libel, as it appeared that the pamphlet was published by the House of Commons. This he collected from the votes of that House. On the 14th of March last, the instructions given to Mr. Jacob were laid on the table of the House of Commons, and the report made by him in consequence of those instructions, and in which the libel appeared, was stated in the title-page to be printed by order of that House. He saw, therefore, no other way of proceeding, than by their lordships having a free conference with the Commons. There were precedents for such a proceeding, though he believed there had not been a free conference between the two Houses for a century past. On that occasion, the members of both Houses got warm, came to high words, and, as tradition informs us, actually to blows. In the present, he did not know whether the noble and learned lord on the woolsack would not be so animated in defence of the landed interest, that the president of the Board of Trade might be induced to lay hands on him, and the Secretary of State for Foreign Affairs to give him a back-handed blow. Such a result, he was afraid, might be expected from the temper of the parties. Of course their lordships would all take part in the fray; they would step in and rescue the noble and learned lord from his enemies. He did not know, however, what would be done in the mean time with the seals: he was afraid some mischief might happen to them in the scuffle. If, however, it was the opinion of the House that this mode of proceeding should be adopted, he would move that a message be sent to the Commons to ask a free conference.

The Earl of *Limerick* congratulated himself that for once he should agree with the noble lord. He did really think that the paragraph which had been quoted contained a libellous insinuation, and rejoiced that the noble lord had in any way brought the subject before the House. The country was at the eve of a general election; their lordships knew the state of distress into which the manufacturers were plunged; and he was afraid that measures were now brewing which would place the agriculturists in a similar situation. The noble lord deprecated any contest between the two Houses of Parliament.

Catholic Claims.] Lord *Dudley and Ward* presented a petition from the Roman Catholic inhabitants of Roscommon, praying to be relieved from those disqualifications under which they laboured. The petition, he observed, was signed by several thousands, and this circumstance might readily be credited, when it was considered, that the Roman Catholic religion was the religion of the great majority of the country, of which Roscommon formed a part, and which, until three hundred years ago, had been the religion of the whole of Europe. However erroneous that faith might be, the Roman Catholics had an excuse for not abandoning it; for too few steps had been taken to convince them of their error, either by the government or by the clergy. They had been told that their religion was one of superstition and idolatry; but not much, as far as he had yet heard, had been offered to them in the way of argument, to convince them of the justice of this reproach. They had formerly laboured under heavy pains and disqualifications. They had been released by the bounty and wisdom of parliament from all those penalties, and the greater part of those disqualifications, and they prayed to be exempt from the remainder. He was not disposed to violate that sort of tacit convention, by which it was understood this subject was to be allowed to rest undisturbed during the present session of parliament; and, if he had any influence with the Roman Catholics, he would advise them to refer their case to those persons who had so ably advanced their cause. The Roman Catholics, as far as parliament was concerned, were in very good hands. They would do well to recollect the difficulties they had to encounter from the opinion—and he believed it to be a sincere opinion—which prevailed of the great danger that would attend the granting of their claims, both to the constitution and the state; and also to consider, that their best method of obtaining their object was, to remain tranquil under the trying, and he might say, provoked, state in which they were placed. With respect to the question itself, he adhered to the opinion he had before expressed in that House, and which had been supported by his vote in parliament on every occasion on which the question had been brought forward since he had a seat in the other House. That opinion had been confirmed by reflection and by the course of time; for this question was not a stationary one, it gained ground every year. It was impossible, however, to disguise the fact, that the state in which Ireland was placed by this question, constituted the weak side of this great, victorious, and he might otherwise call it almost invincible, nation; and, if a war were to break out, every person must look with anxiety towards that country where the people laboured under such unjust disqualifications.

Ordered to lie on the table.

HOUSE OF COMMONS.

Monday, May 8.

CORN LAWS.] Sir *T. Lethbridge* presented a petition signed by the Chairman and four members who constituted a committee of the Norfolk Agricultural Society, stating that the measure now before the House relating to foreign corn, would, if it should become the law of the land, virtually repeal the Corn-laws—that the petitioners, confiding in the assurances of his majesty's ministers, and the resolutions of majorities of both Houses of parliament, that no alteration should be made in the Corn-laws during the present session, were quite taken by surprise, and deprived of all opportunity of opposing, as effectually as they otherwise might have done, what they could not but consider as an impending evil,—that if the poor manufacturers stood in need of relief, it ought to be afforded to them in the same manner as it was afforded to the other necessitous classes of the community,—that the petitioners were willing to contribute their proportion towards such relief, but that the whole burthen should not be allowed to fall on them,—that the distress had not arisen from any excessive high price of corn, but that, even if it had, the remedy ought to be such as would afford relief to the distressed persons alone, and not, like the contemplated measure, which would afford an advantage to the whole community, at the expense of the agricultural interests; and praying, that no alteration might be made in the Corn-laws, which would increase the facility of importing foreign corn, until taxation should be reduced at least 50 per cent. The hon. baronet, on presenting the petition, said, that he thought the House would consider it worthy of attention, and that it was not surprising that considerable excitement had been created amongst the growers of agricultural produce, by the measure now before the House; that the present petition was from a body of gentlemen with whom he had no acquaintance; that he supposed the presenting of it had been intrusted to him, because his views on this question accorded with those of the petitioners. He thought the whole petition, and especially the closing part of it, well worthy of the consideration of the House. Perhaps he himself might not go quite so far as to think 50 per cent must be deducted from taxation, before any thing of this kind could be attempted; but he saw no chance of people in this country eating bread at the same price as people abroad, whilst it continued in its present state; and if he should have the honour of having a seat in the next parliament, and the consideration of the Corn-laws should be brought before the House, he would endeavour to procure an investigation into the causes why agricultural produce here must necessarily be higher than in other countries. He did not think the price of labour was high because corn was high, but because taxes were high; and he was convinced, that it was quite impossible for the agricultural interests to pay the taxes which they were now called on to pay, unless they could obtain remunerating prices for their produce. If proper notice had been given, the table of the House would have been covered with petitions against the present measure; and if it should pass, and he should have the honour of holding a seat in the next parliament, he should feel himself obliged to vote for every proposition in favour of the most rigid economy.

Mr. *Benett* thought, it would appear

pretty clearly, that the distress in the manufacturing interests had not arisen from the present high price of labour, when it was considered, that within the last forty years the price of labour had not risen more than 33 per cent, while the amount of taxation had increased between 200 and 300 per cent.

Conduct of Lord Charles Somerset.] Colonel *Beaumont* said, he rose to present a petition from Mr. Bishop Burnett, complaining of the conduct of lord Charles Somerset. He regretted that the petition had not fallen into the hands of some one more competent than himself for such an undertaking; but, as he was convinced of the justice of it, and as he had been promised able assistance whenever its merits should be examined into, he should not have felt himself justified if he had declined to present it. It was not either his own wish, or that of the petitioner, that this petition should afford an opportunity of throwing out or promulgating general invective against lord Charles Somerset. As lieutenant-colonel Bird, owing to his having been the secretary at the Cape, was well acquainted with the character and conduct of lord Charles Somerset, the petitioner desired that he should be examined at the bar of the House. The petitioner also complained, that the colonial secretary had refused to grant him permission to return to the Cape, for the purpose of enabling him to procure evidence, which would substantiate the charges he had to bring forward against the noble lord. The present charges were the same as those which the petitioner had brought before this House on the 16th of June last, and he himself had now felt it a matter of delicacy and difficulty, as to whether he should enter into a recapitulation of those charges or not: but whether he was acting right or wrong, he had resolved not to do so; which mode of proceeding would, he trusted, convince the House that his object was justice and not slander. He hoped the colonial secretary would not deny the desired permission to the petitioner, as the granting it would not imply any thing as to the legality or illegality of the original banishment from that colony of the petitioner for five years, to which he had been sentenced for a libel; which libel was nothing more than a memorial which he had presented to the governor of the colony, complaining of acts of injustice on the part of some of the members of the government, and praying for redress. On a former occasion the hon. and learned member for Winchelsea had given it as his opinion, that even if the petitioner was guilty of the alleged libel, still the noble lord had acted in so unconstitutional a manner in banishing him, that he had thereby rendered himself liable to an impeachment. He would not, by any comments of his own, weaken the observation of that learned gentleman, but would content himself by simply stating the two objects of the petition; the first of which was, that lieutenant-colonel Bird should be examined at the bar of the House,—and the second, that the petitioner should be permitted to return to the Cape, for the purpose of procuring evidence to substantiate the charges he intended to bring forward. In order to obtain justice, it was necessary to proceed temperately. He hoped, however, that the colonial secretary would give some pledge to the House that the petitioner should have the permission he requested, and that an early day would be appointed for examining lieutenant-colonel Bird at the bar of the House.

The petition was then read as follows:

"To the Hon. the Commons of Great Britain and Ireland, in Parliament assembled.

"The Petition of Bishop Burnett, of the Cape of Good Hope, gent., respectfully showeth,

"That your petitioner presented a petition to your hon. House during the last session of parliament, inculpating the conduct of lord Charles Somerset, in his capacity of governor of the Cape of Good Hope, and setting forth sundry grievances sustained by your petitioner from the oppressive measures of his excellency, through the medium of the judicial authorities at the Cape.

"That his majesty's ministers having deprecated the institution of any proceedings thereon during the current session, on the plea of leave of absence having been granted to his excellency to repair to England, for the purpose of meeting the charges exhibited against him, and lord Edward Somerset having pledged himself for the prompt return of his noble relative to face his accusers in parliament, your petitioner presented a second petition, requesting of your hon. House to facilitate his return to the Cape of Good Hope, for the collection of evidence to substantiate his charges, from which settlement he had been illegally banished by the despotic and arbitrary measures of his excellency.

"That the under colonial Secretary of State having virtually promised the sanction of his department to your petitioner's return, by pledging its accedence to his request, on the exhibition of a just pretext, your hon. House thought proper to decline acting on his petition; and your petitioner took measures for his immediate return to the colony, when to his astonishment this leave thus promised was peremptorily withheld by earl Bathurst—an act of injustice best illustrated to your hon. House by supposing the parallel case of a magistrate refusing to facilitate the conviction of a felon, by throwing impediments in the way of his prosecutor.

"That your petitioner, after encountering the systematic persecution set forth in his memorial to your hon. House, with the final sentence of banishment from the Cape, an act alone of arbitrary and unwarrantable authority, has found his complaints utterly disregarded by earl Bathurst, and himself taunted with imputations by the under colonial secretary, which have no other foundation than his own surmise, in his endeavour to screen lord Charles Somerset from the consequence of his misgovernment: a misgovernment your petitioner would now have been prepared to prove to your hon. House much beyond the extent of the charges exhibited, had earl Bathurst have granted your petitioner leave to return to the Cape, in fulfilment of Mr. Horton's pledge to your hon. House.

"That as his majesty's commissioners of inquiry at the Cape have, by an extraordinary course of proceeding, intimidated witnesses from giving in their testimony in the scrutiny of grave charges against his excellency the governor, your petitioner cannot perceive that the reference of the colonial department to the functions of those gentlemen furnishes any satisfactory hope of redress when their long-protracted report does arrive. Your petitioner therefore protests against any conclusions being drawn or any decision being formed in his case from an investigation necessarily partial and imperfect, in a colony where your petitioner has no hesitation in declaring, no man dares disclose a truth in the slightest degree offensive to its governor, without entailing persecution.

"That your petitioner most respectfully begs leave to impress upon the consideration of your hon. House, that if acts of unjustifiable aggression committed by governors of colonies are to find support through the power of family influence from authorities delegated to control them, it becomes especially incumbent on your hon. House to extend its protection to those victims of oppression who are hardy enough to encounter the consequences inevitably incurred by opposition to the wishes of government, in denouncing the guilt of its favoured deputies: otherwise it must be apparent that the right of petition is unavailing—that the licence of uncontrolled authority has no limit; and that in its encroaching progression, not only the liberty and property, but the very life of the colonist subject may be sacrificed to a bad temperament in any tyrannic governor. Your petitioner therefore prays, that your hon. House will take his case into consideration, and examine lieutenant-colonel Bird touching the premises previous to his return to the Cape of Good Hope."

Mr. *Wilmot Horton* said, that as he had not seen the petition before it was presented, and as he had not been informed of the nature of the charges it contained, he was to a certain degree unprepared to answer the allegations of it. He was not, however, surprised to hear that the petitioner impugned the motives, and protested against the report, of the commissioners; for the petitioner could not help being aware, that that report must be unfavourable to himself. Had he been previously interrogated by any hon. member on the subject, he would have stated to the House then, what he felt it to be his duty to state now, that a voluminous report had been received by the colonial department from the commissioners, and was ready to be laid, at any moment, upon the table of the House. The House, if it would take the trouble of reading the evidence annexed to that report, would be qualified to decide, whether it ought to concur in the opinion of the commissioners, that the charges which the petitioner had preferred against lord Charles Somerset were grossly exaggerated, and were not such as required the interference of that House. Even from the statement of the petitioner himself, it was evident that he inculpated lord Charles Somerset for what had been done by the judicial authorities of the colony. The commissioners had recommended that the Dutch law, which now prevailed there, should be assimilated to the British; but, until that assimilation took place, it was the duty of the constituted authorities to act upon the Dutch and not upon the British law. With respect to the constitutional topics referred to by the hon. member for Northumberland, he would leave them unnoticed for the present, being convinced that the discussion of them might well be postponed to a future period. He contended, that the commissioners were fully competent, both from the respectability of their characters and from the opportunities which they had enjoyed of collecting information, to give a correct opinion upon the subject referred to their consideration. He likewise argued, that as the fullest information was contained in the report, on the subject of the charges made by the petitioner against lord Charles Somerset, it would be unnecessary to examine lieutenant-colonel Bird upon them; who, as far as he could judge, had no connexion whatever with them. With regard to the application made by the petitioner to lord Bathurst to return to the Cape of Good Hope, he would only say, that if any gentleman chose to move for copies of the correspondence which had passed between the petitioner and the colonial government, he should willingly accede to the motion. He complained that the petitioner had been backward in bringing forward his charges in a substantive form against lord Charles Somerset, and that he had been particularly active in filling the newspapers with the most exaggerated descriptions of them. He called upon gentlemen to suspend their opinions with regard to those charges, until they had read the report of the commissioners. Though the case of the present petitioner could not dispose of the cases of other petitioners, still he thought that the perusal of the report would convince every unprejudiced man, that the statements of Mr. Bishop Burnett were gross and unfounded exaggerations. The House, he admitted, would not be bound by the opinion stated in that report; but, if any gentlemen were dissatisfied with it, he would be able to make his dissatisfaction with it the ground of a substantive report.

Mr. *Hume* said, that at an early period of the session, he had inquired if any report had been received from the commissioners sent to the Cape of Good Hope, and had been informed by the hon. Secretary, that none had been received. If, therefore, there was any delay in bringing this subject before the House, the blame rested either with the colonial Secretary, or with the commissioners, and certainly not with the petitioner, who had last year brought forward substantive charges against lord C. Somerset. The reason why those charges were not then taken into consideration was, that the House thought it right that lord C. Somerset should return before it proceeded to investigate them. Why, he would ask, had lord Charles not returned to this country? Why, but because he seemed to wish to evade justice, and to frustrate inquiry? He had some time ago read to the House a letter which he had received from the Cape, in which it was explicitly stated to him, that he would not see lord C. Somerset during the present session of parliament. That prediction was now verified. And what did such conduct on the part of an accused man look like? Surely like an inclination on his part of not wishing to face his accusers. It was not fair in the hon. Secretary to say that the petitioner had been backward in bringing forward his charges. If there had been any delay on the part of the petitioner, which was not the case, it had been caused by his waiting for the arrival of the noble lord in England, in consequence of his conviction that the House would not enter upon an investigation of his charges in the absence of the noble lord. "But," asked the hon. Secretary, "had the House any complaint to urge against the conduct of those commissioners?" To that question he would answer, that he had a complaint to urge against them. They had been three years at the Cape of Good Hope, and as yet it was a secret to the House, what they had done, or whether they had done any thing. He had, therefore, good grounds for doubting their activity in accomplishing the objects for which they were sent out from this country. As to the refusal of government to let the petitioner return to the Cape, he considered it to be a very harsh and unjust proceeding. The petitioner had been sent off from the Cape at a moment's notice, without the possibility of making any arrangement for obtaining a redress of grievances; and the refusal of government to allow him to return to the Cape, had the appearance of an unwillingness, on the part of the Colonial Department, to allow him to collect the evidence necessary to substantiate his accusations. The petitioner would have been called upon by this time, had the noble lord been in England, to enter upon his accusation, and that without having had any facilities extended to him for obtaining the presence of his witnesses. He had been treated with a degree of harshness by the government, which it ought not to have displayed, if it valued either the interest of the colony, or the interest and character of the noble lord who was accused of maladministration in that colony. Indeed if the witnesses were not fairly brought forward on behalf of the accusation, the acquittal, should an acquittal befal lord C. Somerset, would be deprived of more than half its value. He contended, that the House had great reason to complain of lord C. Somerset's delaying to return to England. The complaint exhibited against him by Mr. Bishop Burnett did not form a tenth part of the complaints which he would be called upon to answer. His delay was, therefore, evidently designed to evade inquiry, in the hopes of ruining the individuals in the interim, who had to support the expense of instituting it. He contended, that the government ought not to allow lieutenant-colonel Bird, who was acquainted with all the details of lord C. Somerset's conduct, to leave the country, without taking means to bring him back when wanted. His evidence was most essential, either to inculpate or exculpate the governor of the colony, and he trusted that, in justice, not merely to the colony and to the petitioner, but also to its accused governor, means would be taken to detain him in this country.

Colonel *Davies* wished to know why this report had been kept back by the government to such a late period of the session, that it would be impossible to get it printed before the close of it.

Mr. *Wilmot Horton* said, he had not presented it, because he thought that the House would not enter into a discussion of it until the return of lord C. Somerset. If any gentleman had asked him a question on the subject, he should have given him, without any reserve, the same information which he had that evening afforded to the House.

Mr. *Fyshe Palmer* recollected, that on the occasion when this subject was before the House last session, it was said, that as soon as lord Charles Somerset could receive leave to return, he would avail himself of that leave, and would hurry home to meet the charges of his accusers. Twelve months had elapsed since that leave had been granted to him, and yet lord Charles was not in England. He could not pretend to say what was contained in a report which he had not seen, but he could not forget that, besides the accusation of Mr. Bishop Burnett, there were several other accusations, much more grievous, brought forward against him. The course which government had taken with regard to the present petitioner, appeared to him to be directly adverse to the interest of the colony, and what was much more material, to the interests of justice. He thought that lieutenant-colonel Bird ought not to be permitted to leave the country at a moment when he might be called upon to give evidence, inculpatory or exculpatory of lord Charles Somerset.

Lord *E. Somerset* said, that as the petitioner alluded to a pledge given by a relation of lord C. Somerset in the last session, that he would promptly return to face his accusers in parliament on receiving leave of absence from the government at home, and as the hon. members for Montrose and Reading had both said, that the fact of his noble relative's not being now in England was proof that he wished to evade the fulfilment of that pledge, he rose for the purpose of contradicting the assertion. He rose for the purpose of declaring most unequivocally, that his noble relative had been most anxious to leave the Cape of Good Hope, on first hearing of the charges made against him; but that he had been ordered by the government at home—and he spoke in the presence of those who could confirm his assertion—not to leave it, until the arrival of the lieutenant-governor. The lieutenant-governor did not arrive till the 9th of February last, and his noble relative had sailed from the Cape of Good Hope as soon afterwards as he possibly could. No one could feel greater regret than his noble relative did, in not having been able to face his accusers in the present session. He still was in hopes that his noble relative would arrive before parliament separated, as letters had arrived in England, stating that he had left St. Helena. Indeed, had it not been for the continual succession of north winds for some time past, it was most probable that he would before this time have been in England. Though he repeated, that his noble relative was most anxious to face his accusers, it was not for him to say whether lieutenant-colonel Bird would be detained in this country or not. He could only say, that his noble relative had afforded to the commissioners every facility, in obtaining the information they were sent out to acquire. That information would, he trusted, soon be printed, and all his relation wished was, to have it placed as soon as possible before the public. When it was before the public, it would be seen that all the charges made against him were gross exaggerations; and his character would then be justified from the unfair, the unjustifiable, and, he would add, the dishonourable, attacks, which had so frequently been made upon it. He could have wished that the hon. member for Aberdeen, in his desire to procure justice, had looked to both sides of this case. He could have wished that he had adverted to the fact, that the law established at the Cape of Good Hope was the Dutch law, and not the English law. Honourable gentlemen would naturally prefer the English law to the Dutch law; but they would recollect, that the governor of a colony must not govern it on the laws which he could wish, but on the laws which he found established in it. In conclusion, he repeated that no individual could be more anxious than his noble relation for the institution of an inquiry into the whole of his official acts as governor of the Cape of Good Hope.

Sir *F. Burdett* said, that every man must admire the feeling with which the noble lord had defended the conduct and character of his noble relation. Upon that conduct and upon that character he should not make any remark at present, as it would not be proper for him to venture any opinion upon charges of which he knew almost nothing. He would, however, give his opinion upon the propriety of taking the evidence of lieutenant-colonel Bird, before he set sail again for the Cape of Good Hope. That was a point of so much importance, that he trusted ministers would, for their own sake, for the sake of the noble lord now under accusation, and still more for the sake of the petitioner, not deprive him of the means of securing that evidence which he described as most important to the prosecution of his claim for redress.

Mr. *Wilmot Horton* said, he did not know how colonel Bird was in any respect connected with the charges brought against lord Charles Somerset. Those charges were of a nature of which colonel Bird could know nothing, as would be seen, whenever the report appendix was printed. If any subject could be pointed out on which colonel Bird could afford to the House any information which the petitioner might deem favourable to his cause, he would have no objection to grant his request; but at present he did not know how any gentleman could put a question to colonel Bird, if he was at the bar, relative to the complaints made by the petitioner. Surely the petitioner must state something specific before his prayer could be acceded to.

Sir *F. Burdett* said, the petitioner stated that he conceived colonel Bird to be a material witness on his side.

Mr. *Brougham* said, it would be unjust to the colony, to lord C. Somerset, and to the petitioner, if colonel Bird were not examined as to his knowledge of the facts of this case.

The *Chancellor of the Exchequer* said, it was easy for gentlemen to talk of detaining colonel Bird, to examine him upon these points; but the fact was, that government had no power to detain him. He was going on his own private business to the Cape of Good Hope, and not on that of the government. What right, therefore, could government have to say that he should not quit the country?

The *Speaker*, who had been reading the petition, here interrupted the discussion. He said, that in all cases where a double construction could be put upon the wording of a petition, the House put upon it such construction as was most favourable to the petitioner. There were, however, some cases, in which only one construction could be put upon it, and that construction was fatal to the petition. He believed that there were in the present petition, words which rendered it imperative upon the House to reject it. [Here the Speaker read the second and third clauses of the petition, in which reference is made to declarations of lord E. Somerset and Mr. Wilmot Horton in the House of Commons.] He thought that such reference, according to the usual rules of the House, made it imperative on them not to receive the petition.

Mr. *Canning* declared his unwillingness to reject a petition of this nature, on the mere ground of an informality of this description.

Mr. *Beaumont* expressed his readiness to withdraw the petition, inasmuch as it did not contain any specific charges, and he had, in some degree, obtained his object.

The petition was withdrawn.

CORN LAWS.] On the order of the day for receiving the Report of the Committee on the Corn-laws.

Mr. *Heathcote* said, he would oppose the bringing up of the report. He would not object to that part of the measure which had reference to the letting out of the bonded corn, because it manifested the sympathy and concern of the House, and its anxiety to do every thing for the relief of the distress which now unhappily prevailed. But he must give his opposition to that part which related to the duty. It did not matter whether the duty was 12*s.* or 14*s.*, for the difference only went into the pockets of the speculators. He also objected to it, as it would be used as an example, in the next session of parliament, when the question of the Corn-laws came to be finally discussed. He also opposed this measure, because it was giving way to the general delusion, that the Corn-laws were the cause of the present distress; because it was an attempt to carry by a side-wind, in an indirect manner, and in a time of alarm, a point that ought to be carried only in a time of peace, and when it could have the most ample previous deliberation; because there was no difference between the state of the country now and a fortnight ago, when the ministers had defeated the motion of the hon. member for Bridgenorth, by an immense majority. In a word, he opposed this measure, because it was giving that to outrage and clamour, which should only be granted to the most calm and deliberate judgment.

Mr. *Calcraft* rejoiced that he had taken the course which he had done on the last night that this subject was under discussion. He was convinced that, in not dividing the House, he and his friends had done right, considering that the proposition then made was a new proposition, and therefore ought to be fairly considered. Many of the objections which he entertained to the original proposition, he did not entertain at present; for the words price and duty were left out of the resolution. As ministers had, on their own responsibility, said that they were afraid lest corn should, before the next harvest, rise to a famine price, he could not absolve them from that responsibility by opposing the resolution as it stood at present. The original sin of the measure, however, was, that the agricultural interest was held up by it to the manufacturing interest, as the barrier which existed between them and subsistence, and not only as a barrier in that manner, but also as a barrier which subsisted between them and that increased demand which was declared necessary to relieve the existing distress. He was satisfied with what had been done on the former occasions when this subject was before the House, and he should recommend that the sense of the House should not now be taken. He was disposed to be moderate in his success, and to remain content with having induced the right hon. gentleman to withdraw the objectionable parts of his measure. If that had not been done, he believed that the whole question of the Corn-laws would have been concluded. The public, at least, would have thought so; and, whatever might have been the intention of the right hon. gentleman, his measure must have made that impression on the minds of the people. The mischief had, indeed, been effected, to a considerable extent, by what had already been done. He had heard from the country that, in many quarters, the persons most interested in the subject believed that the principle of the Corn-laws was attacked by the measure now before the House, and that in consequence all buying and letting of farms was put a stop to. He believed that the best safeguard which the agriculturists could have, and that which alone they had a right to expect, was a sufficient protecting duty. It was impossible that they could justify the Corn-laws as they now existed, and he believed that the majority of them would be content with such a duty as that which he suggested. He should postpone all that he had further to say on the measure, until the bill should be brought in; but, in the meantime, he would observe, that all persons who were interested in the Corn-laws, would be entirely dependent upon the conduct of ministers, if the House should clothe them with the power which they asked for. He could hardly think that ministers themselves would be willing to assume that power, when they contemplated the responsibility which they must take along with it; and they could not doubt that any future parliament would readily sanction whatever they might do, upon making out any thing like a case of necessity. He repeated that, as far as he was concerned, the measure should receive no opposition in its present stage. He hoped that the same determination would be adopted by the House; because, the amplest opportunity ought to be given to every member to deliver his sentiments on this very interesting subject, and the country was waiting in expectation to hear those opinions. He wished it, however, to be understood, that when the bill should be before the House, he should feel himself as perfectly at liberty to oppose it, as if he had not given it his sanction in any of its previous stages.

Mr. *Bankes* wished that the report might be brought up, and the bill introduced, that the House might be in possession of something on which to found a discussion. When it was brought in he would take an opportunity of expressing his opinions upon the subject.

Mr. *Leycester* said, he was not opposed to a discretion, even of wide latitude, being placed in the hands of ministers, provided the maximum of duty was placed at a sufficiently high rate. He thought 20*s.* was a sufficiently high rate as a maximum. The foreign grower of corn was benefited by a low duty; for in proportion as we lowered the duty, he raised the price.

Lord *Belgrave* was desirous of taking this opportunity of expressing his disapproval of the measure. It divided itself into two parts; the one which related to the letting out the bonded corn, and the other to the discretionary power of permitting the importation of 500,000 quarters. As to the first of these propositions, it was considered as a relief to the manufacturers; but, so far from its being so, it was, in his opinion, a perfect insult to them. It had been calculated that the whole of the corn thus to be admitted, would not suffice for more than the consumption of four or five days. But, what he objected to mostly was, not so much the extent of relief which would be afforded by this measure, as that it was offering corn to the manufacturers which they could not buy. It was, therefore, that he considered this measure, instead of being one of relief to the manufacturers, as a direct insult to them. The value of corn was not determined solely by its price. If a man could earn 20*s.* a week, and was obliged to give 10*s.* for bread, corn might be said to be cheaper to him than if he were obliged to give 5*s.* for bread when he could earn only 7*s.* After the declaration which had been already given, he thought it inexpedient to interfere in any manner with the Corn-laws, and he did not think that there were sufficient grounds to entertain the apprehension which would render requisite the power that ministers sought to obtain in the second part of the measure. He had been informed, that the announcement of their intentions had already had the effect of raising the price of bonded corn nearly 100 per cent. A short time ago, it was only at a price of 25*s.* or 26*s.*, it was now raised to 50*s.*

Sir *John Brydges* said, that not having had an opportunity to deliver his sentiments upon this measure on Friday, he would, with the indulgence of the House, make a few observations, and he assured them he would redeem his promise; aware, as he was, that the subject had been much discussed, and sensible of his own inability to throw any new light upon the subject. He confessed he had come down to the House on Friday last in much embarrassment, feeling, with many other hon. members, that he would be called upon to give a vote, either against the intended proposition of his majesty's ministers (to support whom it was ever his desire), or against his own conviction; and which must have been the consequence had the first proposition been persevered in, which he could not otherwise contemplate than as an interference with the principle of the existing Corn-laws. But, happily, he was relieved from this dilemma, by a modification of the proposition, by which its sting was taken away, and it became, in his opinion, no longer objectionable. However, though modified as it now was, it could no longer be considered as any alteration of the present Corn-laws; yet, as it was so nearly allied to it, and as he had been taught to look for this revision and alteration, at no distant period, he would offer a few observations upon the subject. From an expectation, that had for some time existed, of a revision of the Corn-laws now in force, and from its intimate connection with the subject of free trade, which had been already adopted, to a considerable extent, by parliament, the question now before the House was of the greatest magnitude, and excited an unusual degree of attention, both in and out of it. Whether this revision should take place at all, and, if so, what was the proper period for it, were matters of weighty consideration. He was of opinion, that the eve of an expiring parliament was not the fit time to entertain this question, and the worst calculated to discuss such a permanent alteration of policy. But, thinking as he did upon this subject, it appeared to him, that no time was proper, that the present Corn-laws ought not to be disturbed; for they were calculated for the public good, as well as the protection of agriculture. Our commercial system had not undergone any changes that were inconsistent with the provisions of our existing Corn-laws; and, throughout the regulations of trade and commerce, the perpetuity of these laws had been presumed. The advocates for the repeal of the present Corn-laws, and the substitution of a free trade in foreign corn, were of two classes. The first erroneously judging that the increase of national wealth was a consideration paramount to all others, believed that the doctrines of political economy comprehended the whole science of government. The second class was but a faction, which laid hold of any subject, alike ignorant and regardless of its merits, which appeared to afford an opportunity to embarrass the proceedings of government. These last were unworthy of notice, and it would be but a waste of time to reply to their malignant motives. But to the arguments of the first class, he felt it his duty to offer one or two observations. The assistance of political economy in the deliberations of a statesman, was highly useful; but in these it ought not to have a sole and paramount authority, which, if so, would endanger its character as a science. The economists themselves asserted a free trade must be had, that the aid of the agriculturists was not requisite; that the poor soils ought to be put out of cultivation; and that the soil altogether might as well be laid waste, since the commercialists could supply bread cheaper than the agriculturists could grow it. But it might fairly be asked, what availed the cheapness of bread, if there was no money to purchase it? And how were the famishing millions, dependent upon agriculture, to be employed and subsisted, if an unlimited importation of foreign corn was to be permitted? He was satisfied that the policyof the Corn-laws did not hinge upon political economy; their views and considerations were mainly distinct. To apply the principles of a science for the regulation of making and using national wealth, was an assumption that could not hold. Were the riches of the nation the only object of importance? Were not the landed men the strength of England, and the best support of the government? Were not the moral character and the habits of the people of great consideration? Were the anvil and the loom to be esteemed wholly, in exclusion of the plough, the produce of national industry, and virtue, and strength? Was the hardy peasant of no importance to his country? He had read Mr. Jacob's report; but from its perusal, his fears, instead of being removed, were confirmed, that if our ports were to be thrown open to the importation of foreign corn it would be the death-blow to agriculture; and, finally, the death-blow to the constitution: which, under the present system, had, for so many years, been the wonder and admiration of the world. Then, indeed, should we deserve the appellation of a nation of shopkeepers, which the late emperor of France had, in derision, thrown upon us. Whenever this subject should be brought before parliament, which, if it ever was to be, he hoped would be early in the ensuing session, because uncertainty was more injurious than even an enactment of the measure—when we knew our fate, we could regulate our interests accordingly, and make up our minds to endure an evil which we could not cure; but in this revision of the Corn-laws, he implored parliament to undertake it with mature deliberation, and to recollect that if, by their measures, they should crush one class at the expense of another, they would not be distributing even-handed justice. Let it recollect, too, that Ireland, in particular, claimed their attention; and that the depression of agriculture would be peculiarly baneful to that part of the empire. Let it reject the paltry consideration of amassing riches at the expense of agriculture. Sooner, he would say, "Perish commerce, but live the constitution!" He would only add his earnest hope, and he should cherish the idea, that parliament never would consent to sacrifice the staple interest of this great empire, its agriculture, upon the altar of national avarice.

Mr. *H. Sumner* said, that he was of the same opinion that he at first expressed, that there were no sufficient grounds for carrying the present measure, nor for the apprehension that there would be any scarcity of corn in the country that would require it. It was unfair, at the close of the session, without strong and satisfactory reasons, to take the landed interest by surprise; more particularly at a period at which most of the Irish members, who were deeply interested in the question, were absent. They had returned to Ireland, for reasons that must be obvious, and did not expect that this bill would be introduced after their departure. Indeed, he would object to so important a measure being carried, except upon a call of the House. By it the manufacturing and landed interests were set in opposition to each other. It was said by the right hon. gentleman, that it was intended to limit the importation of corn to 500,000 quarters, independent of the letting out the corn in bond. The effect of announcing the letting out the bonded corn had already been to lower the price of corn; and, let the House consider in how far greater a degree that effect would be produced by the importation of 500,000 quarters. It was said that this would not exceed half the importation of any one season. The greatest importation of any one year, 1818, up to February, 1819, had been 1,500,082 quarters; and, let it be remembered, what was the effect of that importation on the market in the three years following? It had brought upon the country the distress with which it had been visited in 1820, 1821, and 1822. The prevailing distress was, in a great measure, occasioned by their own misconduct. He did not, therefore, mean to say that they should be left to starve; but he did object to the mode which was devised for relief—a mode which would depress the landed interest, and in depressing them, must ultimately depress the manufacturing interest also. Corn was at a moderate price now, and it would not be at a lower consistently with the poor-rates and other burthens which fell with peculiar severity upon the landed interests. He was determined to give the measure his most decided opposition.

Mr. *Stanley*, not having been in the House on a former night, when the subject was agitated, took that opportunity of expressing his intention to give to the measure proposed by his majesty's ministers his most hearty concurrence and support. He was also anxious to express his regret at seeing gentlemen connected with the landed interest, inclined to push what he must term a rather harsh opposition to that measure—a regret occasioned by his fears, that such opposition would do much to keep alive the feeling of discontent which existed in some portions of the manufacturing districts. Perhaps he spoke under the impression of feelings that were warmed by the circumstance of his having been, during the last fortnight, resident in the manufacturing districts. He had been placed in a situation where he had seen much of the domestic condition of all classes of the working community; and when he knew that more than half the looms in that country were out of employment, and more than half the manufacturing artisans out of work,—when he had seen the industrious weaver working for fifteen hours a day at the miserable wages of 5*s.* or 6*s.* a week,—when he had known them, with their wives and families, with a degree of patience under such privations truly astonishing, thus to labour on this pittance for weeks together,—and when he had observed them, day after day, with a noble feeling which he once feared had become extinct among their class, preferring to struggle with their sufferings rather than apply to their parishes,—it was very possible that he might come to this discussion with more warmth of feeling and less calmness of judgment, than others who had not lately visited the same parts of the kingdom. Probably, therefore, he was like a drowning man, ready to catch at straws; or a benighted traveller, ready to bless the first ray of light which might shed consolation over his gloomy path, when he most eagerly greeted the proposition of his majesty's government. At the same time, he was anxious not to be misunderstood on so serious an occasion. He would not be supposed to assert, that this measure would prove a remedy for all the distresses of the manufacturing community. Indeed, the measure did not point at any such extensive object. It did not purport to go into any case of that nature, any more than the vote of that night would involve the whole question of the Corn-laws. The measure was expressly a palliative only—a measure of partial and temporary relief. It was well known in the manufacturing districts, that it would go no further than this, and that it could, in no great degree, remedy their sufferings. This was shown even in the feeling of the mob which had committed violences there; for, wherever they had attacked a manufactory, the power-looms only had been destroyed by them, which looms they considered (and not absolutely without reason, since every improvement in machinery, introduced during a time of general pressure, must have a temporary injurious operation upon the labouring manufacturers) as the main, instead of a secondary, source of their distresses. The proposed measure could obviously prove but an alleviation—and, he was sorry to add, a temporary alleviation only —of so much misery. But he would say this, that it was a measure calculated to produce the best effects among those who were at present suffering by its tendency, to show that this House, and the agricultural interest in particular, were not backward to sympathize with their afflictions, or to devise means, inadequate though they might be, for their relief. He did hope, too, that it would induce, among the manufacturing classes, a feeling of thankfulness to parliament for the promptitude of its exertions in their favour. He could not think it calculated to give the agricultural interest any well-grounded apprehensions, on the score of the depreciated prices, which some gentlemen seemed to think it likely to produce. Under the circumstances he had stated, and deeming the measure calculated to produce a very beneficial result, he could not, upon any speculative apprehensions relative to trusting the discretionary powers called for in the hands of his majesty's ministers, refuse his cordial support to the proposition.

Colonel *Wood* bore testimony to the merits of the speech delivered by the hon. member; but, whatever support he might give to the measure, it was on an understanding that it had no reference to any permanent or material alteration of the Corn-laws; being convinced that any such alteration would not tend to lessen but to aggravate the distresses of the country. He thought the proposition now before the House more objectionable than the original measure proposed by government. He conceived that the preferable plan would be, to grant to government the discretionary power of opening the ports upon an Order of Council, when the average price of corn had amounted to a certain specified rate. The rate of that import price might be settled when the bill was in the committee. He thought that a certain price ought to be fixed, at which the 500,000 quarters were to be admitted.

An honourable member, alluding to the debate of Friday last, remarked, that the right hon. gentleman near him had omitted to state specifically the price at which corn was to be imported. Now, the price of our own corn in the market, according to the London Gazette of Saturday, was 60*s*. 1*d*. per quarter. If it was meant to be said that at this price foreign corn was to be hereafter always importable, or indeed at any other price, perhaps, under 65*s*., the agricultural interest must be ruined.

Mr. Secretary *Peel* protested, that nothing on a former evening could have been further from his intention, than to fix either the amount of protecting duty or the maximum of price at which foreign corn should be imported. This he would say, that the prices fixed by the existing law, 80*s*. and 60*s*. were commonly supposed to be the maximum prices at which corn could be obtained. But this he had observed was a mere fallacy, for in three weeks after striking one of the quarterly averages, corn might run up to 100*s*. or even 110*s*., but until the next average no foreign corn could be imported. As for naming any price, however, which would be a fair remuneration to the British grower, and be proper for parliament to adopt, he begged to assure the hon. gentleman that he must have been misunderstood, if supposed to have done so.

Sir *M. W. Ridley* said, he should vote for bringing up the report, but without pledging himself to support the measure in its further stages. He was of opinion that it would be highly injurious to impress upon the manufacturing poor the erroneous idea that their distresses had arisen from the high price of corn. He thought, however, that it would be of benefit to the agricultural interest, to revise the Corn-laws, and to allow the importation of corn under a protecting duty; the fixing of that rate of duty would always be a subject of difficulty. He conceived that there was no ground to apprehend any deficiency in the home supply of corn; and he therefore thought that the measure before the House ought not to have been brought forward at a period like the present.

Mr. *F. Lewis* declared, that both measures had his most cordial, hearty, and warm support. Deriving his income from land entirely, he made no pretensions to disinterestedness in doing so; but he was satisfied that the measures in question were not in any way likely to prejudice the landed interest. He had heard it argued, that if this corn were allowed to be imported, there must be a proportionate export of gold; but no commercial operations could fairly be judged of so strictly. It must be looked at in connexion with all the circumstances which fairly bore upon it. If the measure in question was really calculated to be of prejudice to the landed interest (which he denied), it must at least be beneficial to the consumers. Let the House consider some part of the inevitable effect of importing foreign corn. Gold, it was said, must go out of the country to pay for it. Now, what was the great evil that the manufacturing population were at present exposed to? Want of employment; and, from such want of employment, a deficiency of the means necessary to support themselves. What measure was so likely to afford them relief, as that which would create a demand for labour, and thereby provide them with those means of subsistence? Of such a nature was the one before the House. It was not fair to talk of this as a question of import only, without taking the export also into account. Gold, it was true, must go out for foreign corn; but as we had no gold for that purpose, in this country, we must send goods abroad in order to purchase it. And, in the increased demand on labour necessary for the manufacture of those goods would be found the most permanent source of relief for the distresses of the northern districts. He augured no evil to the landed interest from the proposal; for it was impossible even in a few years to import as much foreign corn, at a protecting duty of 12*s.* or 14*s.* per quarter, as would produce any sensibly prejudicial consequences to our agriculturists. But, whatever hon. gentlemen might think upon this question, they ought at least to keep it separate from that of the Corn-laws, with which they could only produce a most injurious effect by mixing it up. It seemed to him most unreasonable to accuse ministers of taking the House by surprise, after their vote of the 18th of last month. When distresses of this kind suddenly broke out, it was necessary at once to meet them; and, therefore, government could not be blamed for not having foreseen such a state of things three weeks ago, as that which had since rendered it necessary for the legislature so promptly to interfere.

Mr. *Jones* said, he thought the admission of bonded corn into the market would produce great benefit to the distressed. He should support the bringing up of the report; without, however, pledging himself to any subsequent support of the bill. If the House were to assent to the present measure, and allow corn to be imported at 12*s.*, it would be taken as a step towards the alteration of the Corn-laws, and, therefore, he hoped the country gentlemen would not vote for it. He should not oppose the bringing up of the report; but he would reserve to himself the right of opposing any future stages of the bill. It had been urged against the opponents of this measure, that they were averse to granting relief to the manufacturers, notwithstanding the present scarcity; but he denied that such was the case, and he further denied that a scarcity of corn existed.

Mr. *J. Smith* was anxious to explain to the House the reasons which induced him to vote with his majesty's ministers upon the present occasion. He felt that, if ministers had neglected to provide some such measure as the present, they would have incurred a heavy and serious responsibility. He found upon inquiry, that corn had been progressively rising within a certain time. Assuming this to be the fact, he would ask the House, how it was possible that his majesty's ministers could think of allowing parliament to dissolve, without taking care to provide against the chance of a scarcity of corn before the next harvest, and whether gentlemen were prepared to view with indifference the consequence of such neglect? He felt that he was doing his duty in supporting this motion, without stopping to inquire whether the question ought to have been introduced at an earlier period, because he felt that, unless some such step was taken, a degree of distress might be brought about, that it was painful even to contemplate. An hon. member had stated, that there was no scarcity of corn in the country. If such were the case, he rejoiced at it; but who was to guarantee that there would not be a scarcity before the ensuing harvest? His majesty's ministers had, or ought to have, the best information upon this subject. If they had it not, they were guilty of the most culpable neglect. He hoped that they were possessed of it, and that it was of the most favourable nature; but if they had the slightest doubt upon their minds, they were only doing their duty in introducing this bill. He might, perhaps, be wrong; but, while he supported this motion, he could not help stating, that he preferred the one originally proposed by ministers. That was a measure of most awful responsibility, and there was little fear that ministers would have abused the trust proposed to be confided to them, as he felt quite sure that they had no wish to injure any of the great leading interests of the country. Besides, it might turn out, that the limited quantity of corn proposed to be admitted, might be too small to meet the exigencies of the case; and where, then, would be the remedy? He must confess, that he thought the former at once the safer and the more constitutional measure; but that measure having been modified, he hoped ministers would persevere in their present course; and sure he was, that their conduct would deserve and receive the thanks and gratitude of the country.

Mr. *Baring* said, that if he could think with his hon. friend who had just sat down, that the proposed measure would produce any of the benefits which his hon. friend contemplated, he would support it. But he was of a different opinion, and was therefore obliged to take a different course. He could not consent to give to his majesty's ministers a power which would have the effect of shifting and rendering uncertain the price of corn all over the country. Distress might arise in one place this day, and in another on the next; and the object of this proposition was, to enable government, at its pleasure, to shift the price of corn, to meet those partial circumstances. This, he contended, was not only the most mischievous and fallacious proceeding that could be adopted, but he would say, that, if there were any measure more likely than another to create distress in the country, this shifting and changing the price of corn—this constant interference with the Corn-laws—was that measure. From the year 1815, when he first heard these questions discussed, he felt convinced, that the extent of protection was fixed at far too high a rate, and that the mode of applying the principle was open to every possible objection. That opinion he continued to hold; and therefore, in the few observations he was about to make, gentlemen would observe, that his opposition did not arise from any attachment which he bore to the Corn-laws, as they now existed, but from an unwillingness to place in the hands of ministers the power which was now demanded, when no person could possibly know how that power would be exercised. In his opinion, no uncertainty ought to be suffered to prevail with respect to this important question. It ought to be placed on some permanent and solid system. Last year objections were made to the consideration of the Corn-laws, and those objections were reiterated this year. What prevented it from being fully investigated in the last session, he was at a loss to conceive. By the course now proposed to the House, neither the grower, the dealer, or the consumer, would know what was to become of the price of corn. It was left entirely at the will of his majesty's government. He could not, from past experience, place that power in their hands. The manner in which they had, day after day, dealt with other questions of great importance—questions also connected with the Corn-laws—lowered his confidence with respect to the way in which they would exercise this power. The distresses of the country, they were told, had been produced by over-trading: if, indeed, that could be called trading which was nothing but rash speculation. Now, he could not help thinking that ministers set about remedying the evil in a very foolish way. They began by meddling with the currency, which they should have left alone; and if they had left it alone, all the difficulties and all the distresses would long since have subsided. They would have heard nothing of want of food in Manchester and other parts of the country; and next year they might have safely retraced their steps with respect to the small notes. Instead of that, ministers came down prematurely, and added to the distress by the measure they proposed. They knocked from under the small trader the little capital he possessed, and they destroyed that confidence which had before prevailed. There was no want of means, but there was want of credit—there was want of confidence between man and man. Under such circumstances, no trade could be carried on in any country; and the abstraction of credit and confidence, in a country constituted as this was, must necessarily produce the greatest misery and confusion. The reason the ship did not right herself—the reason the country did not at once get over its difficulties—the reason those difficulties had lasted so much longer than they had done on former occasions—was that unfortunate meddling with the currency at the most inauspicious moment that could have been selected. The country was, in fact, labouring under the mischief which the doctor had done, rather than suffering from the original disease. He felt it necessary to address himself particularly to those points, because it was right that the attention of the House should be called to the hands which were to hold the reins of power on this important occasion. Ministers had come down to the House disclaiming any present alteration in the Corn-laws; but a mob got up in the country, and then ministers altered their course. They appealed to parliament in a panic, and called on them to adopt measures for the purpose of meeting this particular state of grievance. Now it should be observed, that the distress had existed for months before; and, when these measures were proposed, the only difference was, that insubordination had begun to appear. Here they saw government coming down one day, and declaring, in as positive terms as they could, that they did not mean to interfere with the Corn-laws, and the next, they found them submitting these two propositions to the House. With respect to the circulating currency, he understood that, on the suggestion of the Secretary for the Home Department, the committee had agreed, that, from and after a certain period, there should be no one-pound notes in England; three-pound notes would be allowed in Ireland; and five-pound notes in Scotland. Measures such as these must necessarily affect the question of the trade in corn, which, undoubtedly, was the most important question to set at rest. The greatest possible confusion had arisen in the minds of individuals, in consequence of the system on which ministers were proceeding. No land-owner or farmer could apportion his rent, so long as things remained in this state. No person could know the amount of his income while such uncertainty prevailed. If he were asked what provision or arrangement he could make for his family, he should be utterly at a loss to give an answer, while the whole value of his property rested on such an uncertain basis. The House ought not to legislate on an appeal either to their feelings or their passions. Instead of adopting measures to meet the present moment, it was necessary that they should, after proper consideration, adopt one steady uniform system. Speaking of the country gentlemen, he must say, there never was a time when that class of individuals was more disposed to be reasonable. At no time were they more disposed to go into a committee on this subject than at present. Except one hon. member, who had spoken that evening in favour of the existing Corn-laws, there was not, he believed, one of the country gentlemen in that House who did not think that those laws required revision. In the first place, it appeared to be the feeling of almost every body, that with open ports and a permanent duty, the corn-trade might be safely and beneficially carried on. No person, he believed, had suggested any other mode; and the only difficulty in it would be, the amount of duty to be exacted, and the rate of price to which that duty should be applied. Now, though he was inimical to the present Corn-laws, he was not an enemy to a considerable degree of protection; and, with respect to the extent of protection, he felt that it must, after all, be a matter of experiment. He would suggest that a duty of not less than 15*s.*, or more than 18*s.*, which would give protection to wheat at from 55*s.* to 60*s.* per quarter, might be found sufficient. He must, however, fairly admit, that it was a point on which he could not now decide with sufficient certainty; and he might, next year, be induced to state, that he had not come to the proper rate of protection. He could wish the protection not to commence under 55*s.*, and certainly not to go beyond 60*s.* In the early part of the session, the state of the currency was urged as a reason for not considering this question. The necessity of introducing a large quantity of gold to meet the deficit occasioned by the withdrawal of the small notes, was strongly dwelt on; and it was said, "if you introduce corn, in consequence of any alteration in the law, you will be acting against your own desire to provide a large portion of gold." This argument could not now be put forward; because, the taking out of the bonded corn would set the merchants to fill the warehouses with fresh corn. The moment these 300,000 quarters of corn were sent out, the warehouses would be again filled: and it was desirable that it should be so. And why? Because the secret was now out. The corn-dealers of Germany were apprized of the fact, that these kingdoms did not grow corn enough for their own consumption. Last year there was 400,000 or 500,000 quarters of corn let out of bond, and there was also what was called (and he believed truly, though it might have partially failed in some places) a fine harvest. Yet they had, in the face of these circumstances, a certain evidence, not of an absolute scarcity—nor yet sufficient to produce a just alarm of scarcity—but quite sufficient to prove that this country did not grow corn enough for its own consumption. He wished to point out one considerable advantage which would accrue from beginning the experiment as to the corn trade in the present year. He had seen the report of Mr. Jacob on this subject. He would not enter into the merits of that report; but he did not consider it to be a production on which, as a whole, he could place great reliance. It was, however, evident from that report, that the supply which could now be sent to England from the continent was not very great. But he differed entirely from Mr. Jacob as to the supply which might be furnished to this country in a very short period. The supply of which Mr. Jacob spoke was what he saw in warehouses in different places; and that supply appeared to be very moderate. This was precisely the state of things on the continent, during the continuance of which he should like to make the experiment on the Corn-laws of England. In making that experiment, a new rate of duty must be imposed; and if that duty were very low, the foreign merchant had it not in his power this year to take advantage of that circumstance, and to inundate the English market. But, when the foreign growers put their seed in the ground next year, knowing that England could not do without them, they would take care that there should be an abundant supply. Let the regulation of the corn trade be put off until next year, and they would have double or triple the quantity of corn thrown into this country. With respect to the currency, it now presented no obstacle to the consideration of this question; and as to the state of the country, there was every encouragement to investigate the subject now, and to make such alterations as were necessary, rather than at any future time. The landed interest, he believed, were more favourable to the consideration of the question at the present moment, than they ever were before. His advice therefore was, that ministers should take the question up boldly—that they should adopt some permanent principle, instead of having recourse to vacillating measures, as they had hitherto done. Let them consider the subject earnestly; let them have recourse to some decisive measures, instead of (to use the words of an hon. friend of his) chalking out a variety of plans, which nobody could understand when chalked out. Let them proceed firmly to the discussion of the question, let them finish it, and have done with it. This was what ought to be done, and what must be done; for he would defy any man to say, that this country was not in a predicament that required an alteration of the Corn-laws, even for the benefit of the country gentlemen themselves. He did not wish to offer a useless or a vexatious opposition; but if the House were with him, he would, when the report was brought up, venture to move, that it be referred back to the committee, for the purpose of taking the whole question of the Corn-laws into consideration, and making such revision as to the committee might appear proper. On this occasion he would wish to say one word as to the other bill, for allowing the bonded corn to be brought into market. Here again the necessity for a permanent measure was evident. The letting out corn in this way reminded him of the annual delivery of the gaols from debtors before the insolvent act was passed. Those annual acts became necessary, from the defect of the law; and with respect to the bonded corn, the same thing would happen from year to year, unless a permanent measure was agreed upon. If the fact really turned out to be, as he apprehended it was, that there was not a sufficient quantity of corn grown in the country for its consumption, and if from time to time they resorted to partial measures of this nature, in preference to having an established system, foreign corn would come in with a vengeance, instead of being introduced in a modified way,—instead of being effected by a proper legislative provision. It would be sent in in such quantities as would absolutely overpower the country. With respect to the duty to be imposed on this bonded corn, he could see no reason for adopting 12*s*., except that that rate had been taken once before;

and when the bill was in the committee he meant to move that the duty should be 15*s.* instead of 12*s.* He might be asked, why he should propose that rise? He would do so because he did not wish to send forth a duty below that which he thought would be safe. Besides, if they adopted that duty, they would have the corn every bit as soon as under the lower duty; and he was equally sure that it would not cost the suffering manufacturers one farthing more. The question was, whether the country should reap the benefit of this arrangement, or whether it should go into the pockets of the foreign merchants. He believed that if they even put on a duty of 25*s.*, the corn would still come in; but he was quite sure, that 17*s.* or 18*s.* would not interfere with the supply. Why, then, he asked, should they set down the duty on bonded corn at 12*s.*? He certainly should object, on the present occasion, to their abrogating their right, and deserting their duty, by abstaining from legislating on the all-commanding question of the Corn-laws, and instead of doing so, leaving it in the hands of those who had, in his opinion, so much mismanaged all those important subjects during the course of the present session.

Mr. *C. Wilson* supported the measure. He said, he did not wish to divide the two interests of the agriculturist and the manufacturer. On the contrary, he would rather unite and bind them together. After all that had been said on the question, this proposition was quite clear—that if the manufacturers were in a state of distress they must receive relief from some quarter. The present measure was intended to afford that relief, and he thought that ministers deserved great credit for bringing it forward.

Mr. *Whitmore* said, he would not follow the hon. member for Taunton through the great question of the Corn-laws, but would repeat, in reference to it, that the sooner it was settled, the sooner one of the greatest evils of the country would be removed. He agreed that the plan proposed; namely, the delegating to government, without check as to control, and without limit as to duty, the power of admitting 500,000 quarters of wheat, under the peculiar circumstances of the present moment, and just preceding an expected dissolution, was likely to produce a serious effect on the agricultural interest. He did not suppose that ministers would abuse the power to be intrusted to them; but the mere knowledge that they possessed such a power, of itself might be productive of important consequences. It was impossible for ministers or the House to foresee the result; for if the farmers, by no means a well-informed or unprejudiced class, were to be seized with a panic, they might rush into the market, and the most alarming evils might ensue. He was an advocate for an immediate alteration of the Corn-laws, and with the imposition of a duty, lower than that which the hon. member for Taunton deemed necessary for the protection of agriculture; but when he formerly proposed his change, he had expressly guarded himself by the announcement of another simultaneous measure, to establish a duty in proportion as the price descended. His express view had been to prevent that panic which was now to be apprehended. His lamented friend, the late Mr. Ricardo, entertained the same sentiments, well knowing the danger of making so important an alteration in a matter of internal regulation. The power which ministers required ought not to be conceded, if any other plan could be suggested, and ought only to be granted in a case of imminent necessity. He concurred in what had been so well said on the subject both by the hon. members for Brecon and Lincolnshire, and could not see the inconvenience that would arise from now establishing the principle, that duty ought to be the protection to agriculture.

Mr. *Irving* said, he fully agreed with the hon. member who just sat down, that nothing could be more fatal, nothing more to be deprecated, than any measure which could be injurious to the great body of the agricultural population, or excite alarm among them. He was surprised, however, to hear this from an hon. gentleman, whose whole conduct, with respect to the Corn-laws, was calculated to excite the alarm he so much deprecated. What had been his conduct on that question? Did he not, late in the session, bring on this most important and delicate subject? He gave notice of his motion early enough to have it fully discussed, but put it off, from time to time, until it was too late to hope for anything like a full inquiry. Thus, though the hon. member was fully aware of the intentions of ministers, and of the general opinion of the House; though warned of the inconveniences of premature discussion; he persevered in his motion. Not satisfied with this, the hon. gentleman threatened to bring it forward next session, and year after year, until he succeeded in effecting some change in the system. He rose principally for the purpose of making a few observations on the speech of his hon. friend the member for Taunton. He fully concurred with him in what he had said as to the causes of the present distress. He had no doubt that it was principally occasioned by the tampering of ministers with the currency, and the uncertainty of the principles on which they acted. They were not free from blame in not having attended more to the circumstances which then presented themselves, if not to their view, at least to the view of others. They should have been noticed long before the month of November or December. The evil arose from a too great and rapid restriction of the amount of currency. This opinion he gave with hesitation, but, from his avocations, it was not unlikely that he should know something of the matter. If the ship, as his hon. friend observed, had been allowed to right herself, they might now be riding safely at anchor. He could not, however, agree with his hon. friend, as to the operation of the present Corn-laws, and he doubted much whether the opinion of his hon. friend was the opinion of the House. He was sure it was not that of the agricultural interest. They were satisfied, he believed, with the principle of the law, as it now stood. They had not found, since the introduction of the law, any material fluctuation or inequality of prices. Perhaps these observations did not square with the present system of philosophy; with the metaphysics of the day. But he was a plain practical man, and was content with a state of things that produced no evil to the public. He might suggest a modification of the Corn-laws; but he must profess himself a friend to those laws; and no proposition to do away with them would have his support. He was confirmed in his opinion from all reports upon this subject, even from that of Mr. Jacob, to whose facts he was no convert, though he entertained a respect for his character, and saw with regret any shade cast upon his labours. That gentleman stated, that in the countries he visited, he found the rents of land 1*s.* 3*d.* for the best, and 6*d.* for the worst; that labour was cheap; that the food of the labourers consisted of cabbages and black bread; that their clothing was rags. In our own country, the agricultural labourers were living in comfort; they had more artificial wants than those of other countries, and he hoped they would continue to have more artificial wants. He did not consider that a country, circumstanced like ours, could enter into competition with countries so described. In one part of the speech of the hon. member for Taunton, he had said that this question should be fixed and settled for ever; in another, he proposed a measure to be tried by way of experiment. There was an inconsistency in this. With regard to the discretionary power asked for by ministers, he was not reluctant to grant it them; but he had another mode to propose. The right hon. the President of the Board of Trade had stated, as one of the inconveniences and probable dangers of the Corn-laws, that if a scarcity should occur in August, three months must elapse before the ports could be opened. Now, the remedy he would propose was this —to alter the law so far as to provide that from and after the passing of the act, the average should be 70*s.*, without reference to any period. This was the only alteration he should propose in the law, and he thought it would be found an improvement.

Mr. *Huskisson* assured the hon. member for Bramber, that nothing could give him greater satisfaction, than to see the question of the Corn-laws in his hands, if the hon. gentleman happened next session, to have a seat in the House. No doubt he would bring forward a measure calculated to conciliate the various interests of the country, and to effect the great object in view. If it were his good fortune, to occupy in the next session the post he now held, it would be his duty to propose some measure connected with this great question; and, although he should be happy to profit by the hon. members suggestions, he must be excused if he did not implicitly follow his advice. The hon. member for Taunton was more or less in the habit of observing upon the absence of members of the cabinet from their places in parliament; but, if he had been more assiduous in his own attendance, he would not have been so much in arrear in his information of what had recently passed in that House, as by his speech he appeared to be. In the first place, the hon. member did not seem to be aware of what had fallen from the hon.

member for Brecon; and next he asserted that the price of grain had not risen for the last three or four weeks, whereas a distinct statement had been made in the outset of these discussions, that wheat had risen from 54*s.* per quarter to 60*s.* 9*d.* within the last three weeks, and that it had advanced generally, in the face of a depression in all the other articles of subsistence. The hon. gentleman had also complained, that no reason whatever had been given for fixing the duty at 12*s.* which showed that the hon. member was unacquainted with what had fallen from the Secretary for Foreign Affairs; who had stated expressly why the duty was fixed at that sum, and his statement had met with the approbation of every member present. With respect to the charge of inconsistency brought by the hon. member for Bramber against the hon. member for Taunton, he thought it perfectly just; for the hon. member had said, that the Corn-laws should be settled—that the question should not be left uncertain—that no man in the present state of things, knew what his rents were. He would admit that the rents of land were affected in some degree by legislating on this subject; but surely the hon. member could not mean that the rents of land were wholly governed by it. This was a great and prevailing error, which produced much excitement; but it was an exaggeration to say that the rents were affected, in any material degree, by legislation on this subject. The hon. gentleman suggested that the question should be fixed: he followed up this suggestion by saying that there should be a duty of 16*s.* or 18*s.* and the House should feel its way. The hon. gentleman thought the measure so simple, so easy, that he quarrelled with ministers for not giving it the finishing stroke; and professed himself ready to refer the matter to the committee, and by disposing of it at once, in the space of a few minutes, enable every man to fix his rent, and determine the price of corn. In this eutopian expectation, the hon. member, if he really indulged it, would be disappointed. He would not follow his hon. friend the member for Bramber, into the question of the currency. He did not understand what his hon. friend meant by complaining that government did not interfere. What steps were the government to take to repair that exorbitant credit, which was in fact the overtrading which they deplored, when the banks were falling to pieces? He rose principally with reference to what had passed during the discussion of this question. A variety of opinions had been started, and a number of suggestions had been offered, to meet an exigency, the existence of which, every gentleman more or less admitted. His hon. friend, the member for Bridgenorth, seemed to fear a sudden depression in corn, if the suggestions of government were acted on. He should be inclined to agree with the hon. member that if that result was likely to follow, there certainly would be some grounds for alarm. But there might be another cause of alarm, although arising from a different source; namely, that there might be a deficiency of corn. Now, it was quite clear that either of those evils might happen; but it was equally clear, that they could not both exist together. This question had certainly given birth to a variety of suggestions. Government was called on by one hon. member who represented, that his constituents had a suspicion in their minds that there would be a great deficiency of corn. Another alarm was, that the holders of corn would be insured, in consequence of the propositions which government had deemed it their duty to make. But it was quite clear, as he had before observed, that these two causes of alarm could not exist together. His hon. friend had therefore blown hot and cold on the subject. He hoped the alarm would soon be found groundless, that 300,000 quarters, which was all the corn at present in bond, could have the effect of making such a sensible depression on the market as some gentlemen anticipated. Last year, although a much larger supply of corn had been let out, it had no effect in depressing the market. The present was a measure of trust and confidence, and not one which government had adopted without the advice of parliament. Government came down and submitted their proposition to the House. They asked permission to be intrusted with a discretionary power. This was met by a variety of objections, and a number of suggestions followed. The sole wish of government was to obtain from parliament a simple power of confidence and discretion. Government had limited the quantity of corn to be imported in case of emergency, because they thought that if the quantity of corn in bond should be found insufficient, the addition of 500,000 quarters would supply the deficiency. The bonded corn, when once let out, must decrease from day to day. No man could take upon himself to say, although there might be a sufficiency of corn in the country at present, and although the coming harvest might be prosperous, that an occasion might not arise—that circumstances of an opposite character might occur—to render the proposition of government essential to the welfare of the country. Did gentlemen forget the year 1816? The harvest of that year was damaged and destroyed, in consequence of the continuance of wet weather. What was the consequence of that? Why, from August to November, a period of three months, it was found impossible to open the ports for the admission of foreign corn. He confessed that the present question was full of difficulties, which rendered it peculiarly hard to treat it with sufficient clearness; much less to hope to bring conviction to those who had taken different views of it from those which he himself took. But this much he would say, that, in the measure proposed by his majesty's ministers, no reasonable man could see any thing to fear; and he defied the warmest advocates of the Corn-laws to produce any thing like a convincing argument against that measure. We were bound not only by present circumstances, but by past experience, to prepare for circumstances which, although they might not be probable, were nevertheless possible. He thought he had now stated sufficient reasons for placing in the hands of his majesty's government a discretionary power, by means of which they might be enabled to avert a similar calamity to that with which we were at present unfortunately visited. After the eloquent and forcible appeal made to the feelings of the House by the hon. member for Stockbridge (Mr. Stanley), who in a speech of great ability, and one which did him infinite credit, bore testimony to the miserable and destitute condition of the population of Manchester, — an appeal the more eloquent, because it proceeded from one who, from his station, was best calculated to make an impression on the subject—after that appeal, he thought the House must be satisfied, that a prompt and competent alleviation of the misery which at present existed was imperatively called for. If the question were asked, why agitate this subject after a lapse of six weeks, when you deprecated discussion upon it, he would answer, because circumstances had sprung up, in the intermediate time, to call for a prompt and effectual measure. It should be remembered, too, that this very session an hon. member opposite had expressed himself surprised that government had not adopted any measure for letting out bonded corn; and that was a natural question to propose in periods like the present. If the corn were left to rot and moulder in the stores where it was hoarded, while thousands were perishing from famine, he need hardly say that, putting common humanity out of the question, government would take upon itself a very serious responsibility. With respect to the general question, he had only to repeat, that it could not be conveniently brought under discussion until the arrival of a period of more calm, and less distress and difficulty; and as to the proposition of the hon. member for Taunton, for going into a committee, and considering the whole subject of the Corn-laws, that hon. member would do well to consider, whether the adoption of such a course at the present moment, would tend to allay the alarm and relieve the calamity, under which the manufacturing districts were now labouring. In his opinion, the effect would be the very reverse. The measure now under consideration was evidently called for by the circumstances of the country, and he trusted it would therefore be sanctioned by the House.

Sir *E. Knatchbull* said, he could not reconcile it to himself to give merely a silent vote on the present question. It was very unfair to rest the matter in issue on the eloquent appeal of the hon. member for Stockbridge,—an appeal directed much more to the feelings, than to the judgment of the House. When he was called upon to deliver his opinion upon a question of this kind, he could not suffer himself to be influenced by any partial feelings or considerations. In many of the observations that had been made by the right hon. President of the Board of Trade, he concurred; and more especially in the remark, that this was not a proper time for the consideration of the general question of the Corn-laws. But he was astonished that government had brought the subject under consideration at all at this time; because they must have been perfectly aware, that when the matter was agitated at all, the consideration of the general question would be introduced. He was told, indeed, that it was not intended to agitate the general question; and that what was wanted was a temporary measure for the relief of the suffering manufacturers. But he could not conceive what beneficial effect the proposed measure could have with respect to them; and he could see no purpose that it could serve, except that of turning the odium of the distresses of the manufacturers upon the landed proprietors. The right hon. Secretary of State had formerly given notice, that he intended to propose to the House some measure for the relief of the distressed manufacturers; but no man could then have supposed that this relief was to be given by an alteration of the Corn-laws. The question was, whether it was most expedient that government should have this discretionary power vested in them, or should act, in case of necessity, upon their own responsibility, trusting to an act of indemnity. They had had recourse to the former of these plans; but he confessed, that he wished they had adopted the second. He would ask whether, when government, in cases of difficulty, took upon itself to act contrary to the existing law, the House had ever refused an indemnity for conduct which appeared to be justified by the necessity of the case? When the warehouses were emptied of the bonded corn, they would soon be filled again; and the government, if the necessity should arise, might well have taken upon itself the responsibility of setting free more of the bonded corn; that responsibility being really not very formidable. On almost any other subject he would be perfectly ready to vest a discretionary power in the hands of the present government; but, on the subject of the Corn-laws, he could not willingly trust them with this discretionary power. The real fact, he apprehended, was this—that the present measure was part of the system upon which ministers had resolved to act with respect to the Corn-laws. But it was a growing belief in the country, that the general principles of free trade, which ministers professed, and were acting upon, were not, in the existing situation of this country, properly applicable to the trade in corn. It was easy to destroy a system, but it was not so easy to build up; and ministers ought, therefore, to be cautious how they meddled with the Corn-laws. Considering this measure as part of a system intended to do away with those laws, he considered it his duty to give it his opposition.

Mr. Secretary *Canning* said, he assured the hon. member for Kent, and the other honourable members who had spoken on this subject, that he had listened with the greatest attention to their exposition on this subject, and gave them full credit for the most sincere desire to discharge their duties fairly and conscientiously. But he must say, at the same time, that even those who had entered into the greatest length of discussion on this subject, had kept far wide of the practical question. That question was this: here was a law on the Statute-book for regulating the trade in corn, enacted under very peculiar circumstances, and such as, perhaps, justified the act; but a law of which the extreme provisions had never been suffered to come into operation. He was very far from giving any opinion on the question, whether that law could be brought at all into full operation; but this he broadly stated, because it was notoriously the fact, that the country was at present in a situation exactly the reverse of that in which it was placed at the time when that law was passed. And the fact was, that no man, however attached to the corn restrictions, had ventured to say, that the extreme provisions of that law could be brought into operation in the existing circumstances of the country, without producing a high degree of apprehension and alarm. No man had ventured to advance such a proposition. Why, then, if this were granted him—if he had this admission that this law, however good in itself, however applicable to certain circumstances, could not be applied in the present state of things, without producing the greatest alarm and apprehension—he then had every thing that was necessary to support his view of the subject; and it was clearly the duty of government to oppose the prejudices of those who objected to the proposed measure, although it was not necessary to combat their arguments, for no arguments had been adduced. There were two courses which might be taken—either to discuss and adopt a permanent measure, as had been recommended by the hon. member for Taunton and others, or to make some temporary alteration in the Corn-laws, suitable to the crisis, and the peculiar circumstances of the country at the present moment. And then again, if the latter alternative were to be adopted, the question was, whether ministers ought to take the responsibility upon themselves, or take the previous advice of parliament? And this last plan had been deemed the most expedient. But here was a fair issue upon which to rest the question; did any man venture to say that, in the present situation of the country, the extreme provisions of the Corn-laws ought to be suffered to come into operation? None had dared to say so; and therefore something must be done to alter and modify the law, so as to produce a measure applicable to the existing circumstances of the country. Even those who were most decided in the support of the Corn-laws, and who said that they ought to be maintained as a permanent system—even the hon. member for Brecon—admitted, that for the purpose of maintaining the Corn-laws, some alteration ought to be made, pro hac vice. The hon. member had accused him of inconsistency, in not having adopted the limitation of a certain price, to which the hon. member seemed to think he was in some degree pledged. Now, the price at first mentioned was 65*s.* and, certainly, he had said that he would consider that proposition. The hon. member had, however, not been contented with that, but had risen five shillings in his demand. When the price of 65*s.* was mentioned, he (Mr. Canning) had said, that he had great objection, not to the amount of the price, but to the principle that any price should be named as a criterion. Upon considering the matter, he became more and more averse to it; but, at all events, the hon. member had no grounds for charging him with inconsistency; because, instead of the 65*s.*, the price now insisted upon, as he found by a note sent to him that morning, was 70*s.* It was fully admitted, that some alteration was necessary, and then, said the hon. member, a price of 70*s.* would cure all defects. The hon. member had, at first, proposed 65*s.*, and he had promised to consider the point; but the hon. member having gone home and taken a walk about his fields, began to imagine that 70*s.* would look better than 65*s.*, and so he had proposed the 70*s.* But, he repeated, that the hon. member could have no grounds for charging him with inconsistency, for he had only promised to consider the proposition of 65*s.*, and not that of 70*s.*, which was now insisted upon. There were two honourable members who maintained that the Corn-laws should remain as a permanent system; and one of them admitted, that, with reference to the present circumstances of the country, some alteration ought to be made, and that a change was justifiable; so that he proved the expediency of at least a temporary alteration and modification, out of the mouth of one of his principal opponents. What he wanted was, an antagonist who could venture to say, that, under the existing circumstances of the country, no alteration in the Corn-laws was called for, or ought to be made; for unless any one would go to the full extent of that proposition, he was no antagonist at all; and he (Mr. Canning) had nothing to combat. But the hon. member for Brecon was no such antagonist; for though he said he would keep the law as it was in form, he was yet willing to lower the standard at the present moment to 70*s.* The other honourable member, equally prepared to sustain the form of the law, was willing to admit into the country the 500,000 quarters of corn. Both of these honourable members, therefore, admitted the existence of an exigency which must be met, and which, it appeared to him, could only be met by an alteration, not a suspension, of the law. By their own reasoning, not by his, they were bound to acquiesce in the present measure. The broad proposition, that these laws could be carried into full operation, was not maintained; first by the hon. member for Surrey (who would certainly have maintained it if he could), nor by any of the other hon. members who opposed the proposition now before the House. The honourable members for Surrey, Brecon, Kent, and Bramber, by admitting the exigency of the time, justified the proposition for the suspension or the alteration of the present Corn-laws. This admission superseded the necessity of stating what was the nature of that exigency—a statement which he would wish, for a thousand reasons, to avoid. The opponents of the measure asked, from what could this exigency arise; they wanted to know whether he pretended that it arose from the high price of corn. He answered, no such thing—and having answered their question, he would, in his turn, put it to them, and leave them to afford to it what answer they pleased. The whole question now before the House was, whether there was an exigency?

"Aye," said these gentlemen, and "Aye," said he. They would not stay to differ about the cause of the exigency. Those who admitted that the price of corn ought to be lowered, and those who agreed with him on the propriety of receiving the bonded corn, equally admitted the existence of that exigency. They must, therefore, think the measure now proposed was a measure of necessity; and that he and they agreed together. If there was a necessity for any measure, that measure must be either by the alteration or the suspension of the law. He would presently explain what he meant by a suspension of the law. Some honourable members had said, that an alteration of the law ought to take place. He thought otherwise; for it appeared to him, that the present was the most inconvenient moment for so doing. The very existence of any reason for preventing the law from now coming into full operation, was a reason, as it seemed to him, why it would now be inconvenient to make any alteration in the law; and that inconvenience would be principally felt by the landed interest. He protested, that, whatever might be the construction put on this measure by the landed interest, if he were called on to describe it, he should say it was a bill for the protection of the landed interest. He had no hesitation in saying, that he could bring forward arguments which would fully make out that description; but he would not now go into them, as they might be liable to misconstructions, some of which, especially at the present moment, it was peculiarly desirable to avoid. For these reasons, which should be hinted at rather than avowed, he said, with the hon. member for Brecon, and the other hon. members whom he took for his compurgators in this instance, that he did see the extreme inconvenience of pressing the present laws into full operation. The same motive which induced the hon. member for Brecon to sacrifice in that night's debate 10*s.* in the standard price of corn, and which had induced him, before he went into the country, to sacrifice 15*s.*, might afford him the means of learning, that one powerful reason for the suspension of the laws was, to prevent the operation of prejudice in the consideration of those laws. He thought something was necessary to be done, and in looking for the means of determining what course ought to be pursued, he had examined the former debates on this question, and he there found that, over and over again, it was urged as a reason in favour of the different modes of regulation which had been proposed, and particularly in favour of the high rate of duty, that if any pressing exigency occurred, government would be able to take on themselves the responsibility of opening the ports during the recess of parliament; and he also found that government had always rejected the power as one to which, on no account, they would have recourse. He had also searched the page of history, and he discovered one example of the kind, in which government had acted on this sort of power, and which had led them into great difficulties—into difficulties which, he conceived, would be much better avoided; and, as parliament were now sitting, he called on them not to give ministers a discretion, for that it appeared they were acknowledged to possess, but to limit and to guard that discretion in its necessary exercise. Was there any thing that could be more convenient, more cautious, and less disposed to grasp the possession of power, but to exercise it under the eyes and control of the public? This was the whole question. Here was a general law, which, if carried into full operation, would be fraught not only with inconvenience, but with mischief. There were two modes of preventing this mischief. The first was, that of making an alteration in the laws at the present moment—a course in which he foresaw much inconvenience, and which could not be adopted without creating a prejudice against the law, so strong as to render every one unfit to come to its impartial discussion. The House must either suspend or alter the law. He preferred the former, and he would effect it only by the aid of that House; for he preferred the road through parliament before the royal road of prerogative. He thought that a case had been made out in support of the present proposition. On that case government stood: on that they asked for the power which parliament could grant them, and the present circumstances of the country were such, in his mind, as to justify their demand, while they would by no means warrant its refusal.

Colonel *Wood*, in explanation, denied having agreed to make 65*s.* the standard price at which foreign corn should be admitted into the English market.

Mr. *H. Sumner* also explained, and some other members did the same, but were inaudible, in consequence of the loud and repeated cries of "Question, question!"

Lord *Milton* said, his opinion was, that the present measure was not that which was called for by the urgent necessity of the times. He hoped that ministers, before they carried it into effect, would consider whether there was not another, better adapted to attain the object they had in view. He would only throw out this hint at present, and he would rather they should not answer his question now.

The House divided: For bringing up the Report 185; Against it 58; Majority 127. The resolution was then reported: viz.,

"That it is expedient to empower his majesty, by any order or orders of his majesty in council, to permit, under certain regulations, and for a time to be limited, the entry, for home consumption, of an additional quantity of foreign corn, meal, or flour, subject to the duties which may be imposed by any act to be passed in this session of parliament." On the motion that it be read a second time,

Mr. *Baring* observed, that he thought it would be right to set the present question at rest by a permanent decree as to what should be the law. It became the House to act with promptitude and decision, and finally to determine the matter. He believed, that as the question had now been in some degree mooted, and as it was declared that it should be decided next year, the delay would only serve to fortify the prejudices, if he might call them such, of the people, and to prevent that impartial discussion which every one ought to be anxious to obtain. He thought the experiment had better be made immediately. The plan of opening the ports, with a protecting duty, was itself but an experiment, and might ultimately come round to the necessity of doing that which he urged them to do now. Whenever the question was decided, there must be more or less of the nature of experiment in the course pursued. Under all the circumstances, he thought the House had better go into the committee at once. Some other members concurred with him in that opinion, and even the hon. member for Bramber objected to the state in which the question was now left. In his opinion, ministers put off the decision of the question without any reason, beyond the apprehension of encountering their friends in parliament. He concluded by moving, as an amendment, that the report be re-committed.

Lord *Milton* thought this as good a time as any for making an alteration, if it should be deemed necessary. He thought the present Corn-laws only fit for the fair-weather state of the country.

Mr. Secretary *Canning* rose to remind the House, that they were now going to vote upon a proposition which, if affirmed, would pledge them to a complete revision of the Corn-laws. He had already stated his reasons for thinking this an inauspicious moment for such a measure; and, although regarded as the enemy of the landowners, he really was acting as their best friend in the course he now took.

The House divided: For the amendment 51; Against it 167; Majority 116. The resolution was then agreed to.

HOUSE OF COMMONS.

Tuesday, May 9.

LIBERTY OF THE PRESS IN INDIA—PETITION OF MR. BUCKINGHAM.] Lord *John Russell* rose, for the purpose of calling the attention of the House to a petition of considerable importance, affecting the government of India, and most seriously affecting the talents and fortune of the petitioner, Mr. Buckingham. The case had, on a former occasion, been brought before the House by his hon. friend, the member for Durham; and at that time, the answer given to it was, that it was then under the consideration of a court of law, and therefore it would be highly improper in that House to interfere. At the time when this answer was given, he himself considered it a very weak and unsatisfactory one; but since then, circumstances had occurred, which had totally done away with that objection, weak as it was. The ruin which the petitioner then apprehended, in consequence of the acts of which he complained, had since fallen upon him: but he would proceed, as briefly as he could, to detail the principal facts of the petitioner's very hard case. In the year 1814, Mr. Buckingham received a licence to proceed to Calcutta, to reside there. At that period, the marquis of Hastings, the governor-general, had abolished the censorship of the press, and had left the editors of newspapers free to act upon their own responsibility; at the same time prescribing certain rules to which they were to conform.

The petitioner stated, that, for the space of five years, he conducted a daily newspaper at Calcutta, without having been even convicted in a court of law, although the juries in that country were composed of the servants of the government, from whom strict impartiality was not of course to be expected. However, the petitioner was never brought to trial but on one occasion, and then for reflecting on the conduct of the six secretaries, in a letter from a correspondent, and on that indictment he was immediately, and without hesitation, acquitted. He afterwards went on with his journal; and after having invested 20,000*l.* of his own money in establishing it, he made it a property worth 40,000*l.* It paid annually a sum equal to 4,000*l.* sterling in postage, to the revenue of Bengal. After he circulated nearly 2,000 copies daily of this journal, brought it into high repute, and had himself obtained the esteem of all his associates, he all at once received notice, that he had given offence to the government in India, by publishing articles which he ought not to have published, and that he must immediately quit the country. Now these articles were such, that, although they might not indeed have been permitted to have been promulgated in countries where the government was a perfect despotism, still they would have been tolerated without objection in any country where the least freedom of the press prevailed. However, shortly after he had received this notice, his licence was abrogated; and, in that order, was involved the total ruin of the petitioner; the only ground for which was an article in the Calcutta Journal, respecting the appointment of a Presbyterian minister, which was no sooner noticed than annulled. As to the tone and manner of that article, it was such that, considering the circumstances, would, in this country, so far from being considered dangerous to the peace of the community, be regarded as deficient in bitterness, in severity, and political spirit. But Mr. Buckingham was obliged to depart from India, and leave behind him the property which his talents and his industry had accumulated. No sooner had he left India, than certain regulations were brought before the Supreme court there, ordering, amongst other things, that the proprietor of every journal should have a licence, liable to be revoked at the pleasure of the government; but one of the judges, sir Francis M'Naghten said, he should object to these regulations, if they were made to extend to any existing journal. But, what followed? Within one month after Mr. Buckingham's departure, an order was given to suspend the publication of the journal. He had come home to England, and, at considerable expense, had sent out materials for printing, and other purposes, in order to support his establishment in India, which had been attended with considerable expense; but an order in the mean time had been issued to suspend the publication of his journal, which order destroyed his property. After various negotiations with the government, only one person could be found who would be allowed to carry on the newspaper, and that was Dr. Mostyn, the son-in-law of one of the members in council, and thus was his property destroyed, and the copy-right of his journal transferred to a person not of his own choice. He therefore thought, if ever there was a man who had a right to complain, it was Mr. Buckingham. He stated, that the consequence of this treatment had been, that he had not only lost the 20,000*l.* which he had embarked, but that he wss also in debt to the amount of 10,000*l.*, on account of the acts and proceedings of the Indian government. Such being the statement of Mr. Buckingham's case, he had only one or two remarks to make. It had been said, that the measures of the marquis of Hastings had led to these transactions; but he had seen communications from that noble marquis, in which the removal of Mr. Buckingham was condemned, because, he said, whatever might have been the tendency of Mr. Buckingham's writings, of wilful and deliberate offence to the government, he never was guilty. As to the propriety or inexpediency of a free press in India, that was a question into which he did not mean to enter at present. He should confine himself strictly to the wrongs which the petitioner had suffered; and he complained of it as gross injustice, that, because the marquis of Hastings had thought fit to abolish the censorship, and try the experiment of a free press, under certain regulations; and because that experiment had not succeeded, that, therefore, the whole loss should fall upon the petitioner. It appeared to him, that the marquis of Hastings had not acted with due foresight in abolishing the censorship, and substituting in its stead an arbitrary power over the writings of editors. He could easily believe that, so long as the marquis remained as governor, an editor would have nothing to fear, unless he abused the freedom which was allowed him; but the case was quite different when others succeeded the governor-general. When there were two parties, the governor in council, invested with absolute power, and the other, the editors of journals, wielding the power of public opinion; if the former had the power to crush the newspapers, a time would come when that power would be abused. However, there could be no doubt that Mr. Buckingham had been most hardly dealt with, in having had his property altogether destroyed, without compensation, because it suited the views of the government to destroy the freedom of the press. This was a case of individual grievance which imperatively demanded the attention of the House, and he would therefore move, "That the petition be referred to a select committee, to examine the matter thereof."

Mr. *Wynn* said, that this question had been brought forward on a former occasion by the hon. member for Durham, and at that period Mr. Buckingham had given notice of an action against Mr. Adam, the governor-general, by whom Mr. Buckingham had been sent away. Unfortunately, the death of Mr. Adam had since taken place; a circumstance which he considered one of the greatest losses the service in India had ever sustained. At the same time, he must express his complete conviction, amounting in fact almost to a certainty, that had that action proceeded, the result would have been most triumphant to Mr. Adam. It appeared to him, that it was rather unusual to move for a committee on such a subject as the noble lord had expressed his intention of doing, unless some previous notice had been given. The ordinary course was to give notice to the House of such an intention; and of this course the noble lord himself must see the propriety. He remembered no instance of a select committee having been moved for without previous notice. The whole question appeared to him to hinge on this consideration: Is the press in India to be as free as it is in this country? On this point he was ready to meet the noble lord at any time, and contend for its impossibility. The noble lord had adverted to the passages published by Mr. Buckingham, and had said, that although they might not be tolerated at Vienna or Madrid, they would pass freely at Paris or London. In this he was quite willing to go along with the noble lord, and say, that under a free representative government, such writings could produce no mischief; and if the noble lord thought it would be expedient to abolish the present form of government, and establish a representative government in its stead, he could understand his principle. If a representative government were to be established, then let there be a free press; but it was the very essence of a free press, that it could not co-exist with absolute authority. Let them not examine at large what the government of India was, but how it was administered. It was known that it was administered by foreigners; all natives being systematically excluded. It was impossible, therefore, that such a state of things could exist with a free press. Now, suppose that fact to be simply stated without any comment, that in their own country the people were excluded from all participation in the government, such a statement alone would operate as a firebrand throughout the whole country. He could only say, that unless we were prepared to go the length of altering the whole system, and change the government fundamentally, there must remain some check over the press. With us, and in France and Holland, there was a check—there was a public assembly; and, if the charges were valid, they would be brought forward, and an opportunity would be given to defend them. But what defence could a governor-general set up? Suppose, in the case alluded to, that of the making an appointment—suppose it were said, the person we had selected was an improper one; could that be done without lowering his authority? The noble lord had said, that the marquis of Hastings had abolished the censorship, and thought fit to try the experiment of a free press. Now, he would beg leave to read to the House the Regulations under which the charge was made. The Regulations ran thus: "The editors of newspapers are prohibited from publishing any matter coming under the following heads:—1st. Animadversions on the measures and proceedings of the honourable Court of Directors, or other public authorities in England, connected with the government of India; or disquisitions on political transactions of the local administration, or offensive remarks levelled at the public conduct of the members of the council, of the judges of the Supreme Court, or of the lord bishop of Calcutta. 2nd. Discussions having a tendency to create alarm or suspicion among the native population, of any intended interference with their religious opinions or observances. 3rd. The republication, from English or other newspapers, of passages coming under any of the above heads, or otherwise calculated to affect the British power or reputation in India. 4th. Private scandal, and personal remarks on individuals, tending to excite dissentions in society."

These regulations contained an express direction how a newspaper was to be conducted, and warned a proprietor what course he was to avoid. That warning, however, Mr. Buckingham had, from the very first, disregarded and despised. He seemed to think, that as lord Hastings freed the press from some restraints, he had determined to make it wholly free; and although repeatedly informed, that such was not the intention of the government, he persisted in acting as if it was so. Mr. Buckingham threw out an insinuation, that he did not think it was the intention of the government to abide by the declarations it had sent forth on these occasions. But, was it for an instant to be supposed, that Mr. Adam, a member of the government, and acting under the express injunctions of the governor-general, would issue repeated manifestoes, which he did not mean to carry into execution? Mr. Buckingham had been warned over and over again. In 1820, he was told what would be the certain consequence of the course he was pursuing; and when he still persisted, he was again, in 1821, assured, that if he once more offended, his licence would be withdrawn, and he would be compelled to quit the country. Undismayed, however, by all threats; unaffected by all warnings; disregarding all advice; he still continued his course of libel against the government; and then, and not till then, Mr. Adam compelled him to quit the country—a course, to which he was driven by Mr. Buckingham himself, and which he could not avoid, with any regard to the dignity of the governor-general, or the character of consistency, which ought to be maintained in a government. The whole question, in fact, turned upon whether the opinions entertained of the Indian government in the minds of the natives were to be supported by a regulated press, or wholly destroyed by a free one? For, although a free press undoubtedly was a great blessing, under a fair representative government at home, it became a very dangerous engine abroad. And it should never be forgotten, that the government of India did not depend upon the opinions entertained of it abroad, but on the character it was able to maintain in the eyes of those who ruled at home. The regulations for the government of the press had been laid on the table of the House, and it was in the discretion of any members, if they were dissatisfied with them, to move, that they be altered or repealed. But, as long as they continued in force in India, the duty of the governor-general called upon him to uphold and support them. A great deal had been said upon the conduct of the government towards Mr. Buckingham and his property, after his departure from India; but he was convinced he would be able to show there was nothing in that conduct, inconsistent with justice to the individual, or a sound policy in those who were called upon to regulate his actions. The Calcutta Journal had been pronounced a publication dangerous to the state, and it became necessary to suppress it; but it must be obvious, that it was impossible to do that, especially if the proprietor, who had blindly determined to persist in his course of mischief, was still allowed to hold a control over its affairs, or regulate the tone of its publications by the means of his friends or connexions. He was, therefore, compelled to dispose of the materials of his journal altogether, and the licence, which warranted its publication, was withdrawn. That licence was not, however, granted, as was asserted, by any adherent of the government. Upon the whole, he could not concur with the noble lord, that any grievance had been inflicted upon the petitioner greater than he justly merited; but if it was still considered that the subject required more ample discussion, he would be prepared to enter fully into its merits, whenever it was brought forward in a regular manner.

Mr. *Scarlett* begged to remind the House, that the petitioner could not maintain, in our courts of law, an action against the Indian government for any injury which he had received from it in the exercise of its power, and that his only remedy therefore lay in the supreme authority of that House. He confessed he was very strongly struck by one of the statements in the petition. Banishment might be nothing in the opinion of some members; but, would the House of Commons bear to be told, without inquiry into the matter, that the most valuable part of the petitioner's property had been taken from him, without any consideration being tendered for the same, and then presented as a free gift to the son-in-law of one of the members of the very government under which such an extraordinary transfer of property took place? According to this statement the government of India had not only banished the petitioner from India, but had absolutely annihilated the property which he had left behind him, by transferring it to another. If such a statement were correct, it appeared to him that the conduct of the Indian government had not only been oppressive, but corrupt. If the noble lord who had presented the petition would take the hint which had been given him, and would move to refer the petition to a select committee, he for one would gladly support such a motion.

Mr. *Wynn* observed, that the licence of the Calcutta Journal had been withdrawn, and had never been granted to any other individual. The licence which had been granted to Dr. Mostyn, the individual referred to in the petition, and a friend of the petitioner, was a licence to print a paper to be entitled "The Scotchman in the East."

Mr. *John Smith* found fault with the East India Company, because it had allowed its servants not only to deprive Mr. Buckingham of his property, but also to leave him incumbered with debts incurred in acquiring that property. Every attempt which Mr. Buckingham had made to obtain redress had been treated with disdain and contempt; and even when he desired to obtain from its compassion such a remuneration as would only secure bread to himself and to his large family, he was met with the declaration, that he had been deservedly punished, and had no claim of any description on the East-India Company. He would support any motion of which the object was inquiry into Mr. Buckingham's case; and he would do so in the hope that the House would see justice done to that unfortunate individual.

Mr. *Astell* said, he had hoped, that this question had been finally settled by the late decision at the East-India-house; but as it was again mooted, he must again repeat that Mr. Buckingham's punishment was only the result of his misconduct. So far was Mr. Buckingham from being an ill-used individual, that he even considered him a highly-favoured individual, in consequence of the number of times which he had transgressed, and had been pardoned. After the repeated warnings which had been given to Mr. Buckingham, Mr. Adam would have been unworthy of his situation, if he had tolerated any longer what he must call the insolence of Mr. Buckingham. He reminded the House, that, on a late ballot at the East-India-house, it was proved, that out of 2,000 proprietors of East-India stock, only 127 had approved of Mr. Buckingham's conduct—a clear proof, in his opinion, that the public took no interest in his claim for remuneration and redress.

Dr. *Phillimore* said, that every gentleman who had heard the speech of his right hon. friend, must be convinced, that no ground was laid for the charges which Mr. Buckingham had brought against the Indian government. By the law as it now stood, no man could reside in the territory of the East-India Company without receiving a special licence to do so. It was equally the law, that the governor-general could revoke that licence, if he so thought fit. Now, what had been the conduct of Mr. Buckingham? He had established a newspaper in 1815, which began by attacking, first the character of private individuals, and next the measures of public men, and which ended by arraigning in most unmeasured terms, the transactions of the government in the Nizam's country, and of the army in the territory of the king of Oude. These attacks were regularly translated and circulated in the native languages of India. Now, in a country which we held solely by the influence of opinion, was it possible that we could retain our supremacy, if individuals were allowed to arraign the government unreservedly in newspapers? The noble lord who presented the petition had said, that lord Hastings had given a free press to India. Now, lord Hastings had done no such thing. His lordship had abolished the antecedent censorship, but had erected a tribunal, to which all newspapers were, after publication, to be referred for its approval. The notices which Mr. Buckingham had received, that any future infraction of the regulations of government would be punished by his dismissal, had been frequent. In 1821, this notice had been repeated in the most unequivocal manner. It had been said that, since his return, lord Hastings had declared that he had no intention of strictly enforcing these notices; but the proceedings of the council in India, at which lord Hastings presided, left no room for doubt on the subject, and it was by his acts, not by any intention which he now thought fit to express, that the late governor-general must be judged. The notice which Mr. Buckingham received stated, that if he persisted in abusing the government his licence would be annulled, and he would be compelled to quit the country. In 1822, he committed a similar offence in traducing the government of India respecting the kingdom of Oude. Lord Hastings then communicated to him a notice, that, although the long-tried forbearance of the government had been found ineffectual, he was disposed to give him the advantage of one more warning; and he was therefore finally apprized, that if he should again venture to impeach the validity of the statute under the authority of which the present or any future government should act, his licence would be cancelled, and he would be ordered forthwith to depart from India. In January 1823, very soon after this last notice, the marquis of Hastings left India; and no sooner was he gone, than Mr. Buckingham repeated his attacks upon the government. Mr. Adam acted immediately with a promptitude which did him infinite credit, and ordered Mr. Buckingham out of the country. In all that had been done there was no undue exercise of authority. The punishment which had been inflicted on Mr. Buckingham was strictly conformable to the law; and if it had been severe, he had no one to complain of, because he had brought it upon himself. When the House considered the vast importance of our possessions in India, and the delicate tie by which they were held—that a handful of Europeans exercised supreme sway over many millions of the native people, and that our empire was maintained by opinion alone—they must see that if the same freedom of discussion were allowed to prevail in that country as we enjoyed in this, and if individuals were permitted to traduce the government through the means of the press, it would be impossible to retain the power which this country held in India.

Mr. *Trant* said, that if the question were solely confined to the removal of Mr. Buckingham from India, perhaps he might be disposed to concur in the propriety of his removal. But looking at the whole of the conduct which had been adopted towards that individual, part of which, from his connection with the government of India, he had had an opportunity of observing, he must say, that a case never occurred to him by which he had been so perplexed; but, upon a review of the whole of it, he was by no means satisfied that justice had been done towards that individual. It was necessary, no doubt, that very extensive power should be vested in the government of India, but some exercise of that power, beyond proper limits, might occur; some stretch of authority might arise; and he must add, that in the case of Mr. Buckingham, such a stretch had arisen. He regretted to differ from those with whom he generally acted, but felt that he was called upon by a sense of duty, after a careful review of the whole conduct adopted towards Mr. Buckingham, to vote for the motion of the noble lord.

The House divided: Ayes 43. Noes 40. A committee was accordingly appointed.

SLAVE TRADING, AND THE STATE OF THE SLAVES AT THE MAURITIUS.] Mr. *Fowell Buxton* rose, and addressed the House to the following effect:—

Sir;—In subjecting a motion for the appointment of a Select Committee to inquire whether the Slave Trade has prevailed in the Mauritius, and to what extent, I beg to remind the House, that the Slave-trade was abolished by this country in 1807, declared to be felony in 1811, and piracy in 1824. The abolition has been confirmed by many treaties with other countries; and these treaties have been accompanied with many and great sacrifices. Yet there is, perhaps, no one point on which the whole people of England, of all ranks, of all politics, of all religious persuasions, are more agreed than in detesting this trade, and in the resolution that, as far as England is concerned, the abolition shall be carried into full effect.

Nevertheless, Sir, I stand here to assert, that, in a British colony, for the last fourteen years, the Slave-trade, in all its horrors, has existed. I do not mean to say, that there have been some few violations of the law, or that some desperate adventurers have introduced some fifties or hundreds of slaves—but that it has been carried on upon a large scale, to the extent of thousands and tens of thousands, and this, from the capture of that colony, almost to the present moment. In short, that there has been a regular, systematic, and unceasing importation of slaves. I do not mean to assert, that it has not been occasionally interrupted. I know that general Hall, during his short administration, effectually checked it. I know that, about the year 1822, the distress consequent upon the reduced price of all colonial produce, caused some cessation of the trade; and it may, or it may not be—for I do not pretend to have very accurate information to a recent period—that, for the last year or two, it has ceased. But, with these exceptions, there has been a regular, systematic, and unceasing importation of slaves into the Mauritius. That is the proposition I lay down, and I now proceed to prove it.

I have a large body of witnesses to produce, who have served in civil, military, and naval departments—who will speak to the facts they have witnessed. An officer, who held a high command in the Mauritius for seven years, shall tell you that the Slave-trade was not only tolerated, but encouraged—

The *Chancellor of the Exchequer*—What! encouraged by the government?

Mr. *Fowell Buxton*.—I do not say that it was carried on by members of the government—I had intended to avoid any personal allusion—but, as I am called upon, I do say, that it was carried on to such an extent, and in a manner so open, as to reflect, in the strongest manner, on the highest authorities in the island. Another military officer, a general, states, that from the vessels that were hovering over the coast of Bourbon, then in our possession, in the latter part of the year 1813, between nine and ten thousand new slaves were landed—that "the landings of new Africans were frequent, but by no means clandestine." Another officer, writing in 1819, says, that the whole population of the Mauritius—meaning the whites—were engaged in the violation of the Slave-trade Abolition laws; and that, in despite of them, 700 new slaves had been introduced in the preceding month. Another officer, a colonel in the army, writing in 1821, says, that at least 30,000 new slaves had been landed at the Mauritius, between 1810 and 1817. A naval officer, an admiral, gives governor Farquhar warning, in 1812, that the Slave-trade shall not be carried on, notwithstanding the encouragement it received. A captain in the navy, speaking of the shameful abuses of the indulgence granted by government in the removal of slaves into the Mauritius, says, that at Tamatave, which he captured, there was not more than 400 slaves belonging to all the settlers—that they claimed permission to remove them to the Mauritius, which he refused, because it was contrary to law, and because he was sure that, if granted, it would become the cover for an unlimited Slave-trade. The settlers applied to the governor of the Mauritius, and obtained his consent to the removal of these slaves; and the captain officially states, that though the number was but, originally, 400, at the date of his letter, the 9th of January, 1812, 863 slaves had been introduced, and 347 more were yet to come. A captain in the navy, dating his letter in April, 1821, says, that 1,800 new slaves were at sea, destined for the Mauritius, and that 20,000 more were collecting on the coast of Africa, destined for Mauritius and Bourbon. Another naval captain says, that vessels, with cargoes of slaves on board, sailed, in open day, into the harbour of Port Louis. Another captain says, in 1824, that the Slave-trade, through the Sechelles, was going on under his nose, and in spite of his teeth. Of civil officers there were the Collector of the Customs of St. Denis, the Collector of the Customs at St. Paul's, the acting Collector of the same port, the Chief Commissioner of the Police at the Mauritius from 1812 to 1817, his successor, who held the same office till 1822—all agree, that there was slave-trading at the Mauritius, and carried on in the most open manner.

I now come to a higher description of civil servants—Governors. Of these there have been three—the hon. gentleman opposite (sir R. Farquhar), who held that office from 1810 to 1817, and again from 1820 to 1823—general Hall, who was acting governor for the year 1818—and general Darling in 1819. As the hon. gentleman is present, I shall not venture to tell you what his testimony may be; but his successor, general Hall, begins his first despatch on the subject, by saying "the Slave-trade has obtained a daring pitch here," January, 1819. In another despatch, in the same month, he says, "this traffic has obtained a degree of effrontery, from the impunity of offenders and collusion at their escape, which reflects a mark of disgrace on the government." In April of the same year he says, "I regret to state, that not a week passes without slave vessels appearing off some part of this island." Again, "the opulent and powerful part of the Mauritius community not only encourage but support the Slave-trade, and threaten destruction to those who oppose it. The legal authorities interpose their abilities and professional knowledge to defend the agents of this traffic, but not to punish them. The tribunals are as deeply interested in it as any other part of the society." Again in June, "the Slave-trade has not only been connived at but promoted and encouraged." And again in June, 1819, "with respect to the slaves, which I state to be unregistered, to the amount of 40,000, I can assure your lordship, that I have every reason to feel convinced, from every source of information which I have consulted, that the number is not over-rated."

The testimony of general Darling, who succeeded general Hall, is the more valuable as he was known to have adopted a system directly opposite to that of his predecessor. He reversed all his orders, and restored to office those who had been dismissed. But, after a short experience, he makes these acknowledgments. General Darling says, that "at the date of his despatch, 16th July, 1819, the Slave-trade had revived with a peculiar degree of activity and effrontery. There is no hope of prosecuting with success, in the Mauritius, any one for being concerned in it. When general Hall went away the slave-dealers renewed the trade with recruited vigour. Daily violations of the law were notorious and public, but none would assist in bringing the offenders to justice, whilst too many were ready to protect and to conceal them."

But there is another confirmation of this. The French, possessing the neighbouring colony of Bourbon, knew what was doing at the Mauritius, and have repeatedly complained to our government of our toleration of the Slave-trade. For example: The viscount Bouchage says, that, "when he proposed to the French king new measures for putting down the slave-trade, he was not ignorant of the examples of toleration of this traffic which the English nation afforded the French in their island of Mauritius." The duke de Richelieu, in a conference with sir Charles Stuart, said, "that the same vigilant attention, on the part of the French agents to the British colonies, and particularly to the Isle of France, might, he was sure, lead to the discovery of infractions upon our laws respecting this trade, which we should find it difficult to justify, if they became the subject of official representation."

Now, I do not produce these testimonies as constituting that body of proof, upon which I should be warranted in making a charge against any individual. I am ready to admit, that they are too general and too loose for such a purpose. But I contend, that the concurrence of so many persons, having such different opportunities of gathering information upon the same point—the naval officers making their observations at sea—the military officers on shore—the civil officers having access to other sources of information—the governors knowing that which, perhaps, was concealed from all the rest—and finally the French, looking at it under a totally different aspect—the concurrence of all these in declaring that there was Slave-trading, and to a great extent, justifies my motion; which is not for condemnation, but for inquiry.

I now come to still more precise proof. First, I shall shew you, that between thirty and forty vessels, engaged in the Slave-trade, have been captured in that quarter. It was strange if each of these vessels were captured in their first adventure. I can prove it was not so. It was well known that, for example, the "Industry" had introduced 6,000 slaves before she was taken. It was strange also, if every vessel engaged in the trade were seized. I can prove they were not—that some vessels regularly, and for years, so employed, were never captured at all. The House may judge how many slaves were introduced in the successful voyages of the vessels which at last were captured, and of those vessels which were never captured at all. I confine myself to what I can distinctly prove; namely, that between thirty and forty vessels were actually captured.

Next I come to the disembarkations which have taken place. These I gather from persons who actually witnessed those disembarkations. Of these I have a great number of instances. It would be impossible for me to go through all the depositions of these persons; but I will give one by way of sample. A man of the name of Higginson, a soldier, deposes, that in June, 1821, he was stationed in the Mauritius, upon the estate of Mr. Telfair. Mr. Telfair was private secretary to the hon. governor opposite, public secretary of the colony, curator of orphans, registrar of the court of Vice-Admiralty, and he had received from the governor a present of two islands. Higginson deposed, that "he, whilst on a visit to his friend, corporal Storey, of the 82nd regiment of foot, in the command of a military post, consisting of himself and three men, stationed at the Bay du Cap, in the island of Mauritius, saw a schooner, which he well knew, commanded by a white man of the name of Jean Louis, coming into the said Cap: that his friend corporal Storey hailed the schooner, and ordered the captain to lower his boat, and come and fetch him to inspect what was on board. To which the captain, in the hearing of deponent, replied, "Stop a bit" (arretez un peu); and whilst deponent and his friend were waiting for the boat to come to the side of the bay on which they were, deponent observed a great stir in the vessel, and black people, who, from the matting and plaiting of their hair, and other marks, he knew to be natives of Madagascar, come out of the hold of the vessel and go over her side into a boat, placed at the side of the schooner to receive them; and one Pierre, a black man, whom deponent well knew, and who frequently had told deponent, that he belonged to governor Farquhar, having placed himself in the place of helmsman, and three other blacks, all evidently sufficiently used to the place to be called old slaves, having seated themselves as rowers in the boat, made for the opposite side of the bay to that on which was the military post. In this place, rather more towards the mouth of the bay than where the schooner was at this time lying, deponent saw the black people whom he had watched from the hold of the schooner, land; and, at the landing-place, perceived that certain persons were stationed to receive them, two of whom conducted the first two or three that put foot a-shore, into an adjoining wood, which here stretches itself nearly down to the sea side, and the other two waited near the boat, and ordered those that next came out to follow the steps of their companions into the woods, whilst the two who conducted them thither returned to superintend the rest of the disembarkation. Thus was the first boat's load, consisting, as deponent believes, of from sixteen to twenty persons, landed and disposed of, and the boat returned to the schooner for more; corporal Storey still continuing to hail her, and to order her commander, Jean Louis, to lower his boat for him to come on board. To which Louis only replied by an execrable oath; telling deponent's friend, at the close thereof, that he had no occasion for him, and saying in French, as well as deponent can now describe it, 'va faire foutre—ne pas besoin de vous.' Whereupon deponent's friend, in presence of deponent, ordered his men to fire, not, however, into the boat, but over her, to bring her to: notwithstanding which, however, deponent saw the boat by this time loaded again with the same description of persons, push off for the shore, which she duly reached and landed about twenty more naked Madagascars, or Malgachi, in the face of deponent and his friend in charge of the post; the aforesaid corporal Storey, who seeing his power thus contemned, and in fact obviously insufficient either for prevention or punishment, set off again for the civil commissioner, or magistrate of the district, one Mr. Blancard: but deponent remained behind with the three men of his friend's regiment, the 82nd, and saw the boat for the third time landed with slaves, and, as before, push away for the shore, which it duly reached. Thus, what deponent considers as the whole cargo was landed and lodged in a wood adjoining the property to which the vessel they were landed from belonged, and to which he concludes, as a matter of course, they were shortly conducted. They were all in a state of nudity. Corporal Storey returned to his post in time to see the third boat, or the boat for the third time return to the vessel; after which she set sail; but, unable, from contrary winds, to weather the point, and get round to Belle Ombre, to which she was bound, she was obliged to put back, and return to Bay du Cap. On the return of corporal Storey to Bay du Cap, he reported to deponent, that Mr. Blancard, the magistrate, not liking the errand on which he, Storey, had come, told him to look to his men, mind his business, and if any thing were wanted, he Blancard, would supply it. Blancard was at this time, or had been, as deponent believes, a part owner in Belle Ombre."

This is the deposition of one individual. There are many others which I am ready to produce before the Committee. Several soldiers are ready to depose that they had received directions from their superiors, not to pay any attention to the disembarkation of the slaves. One, an overseer of convicts, would prove, that he had actually gone to his officer, Captain Rossi, to state, that he knew where a disembarkation was taking place. The reply was, that he should mind his own business, and that he would be punished for interfering with what did not concern him. One man goes so far as to state, that he was flogged for the crime of interfering with the Slave-trade. I wish to state the evidence with perfect fairness, and therefore I candidly admit, that this statement seems to me quite incredible. But I have the greatest reliance on the multitude of other depositions, all proving that disembarkations did take place.

The House will observe, that the number of soldiers at the Mauritius was very inconsiderable; never, I believe, exceeding 1,200. Of these, a large proportion were stationed at Port Louis, where they had little opportunity of making any observations upon the Slave-trade. Only a few were stationed in different parts of the island. Of these, some are dead, some are still in the Mauritius; and of those who have come to England, I have not been able to trace out more than twenty; but those twenty I am ready to produce before the committee; and they shall prove, that they witnessed ninety-nine separate disembarkations.

The House will remember, that the coast possessed many bays and recesses, in which slaves might be landed with little prospect of detection—that the country abounded in large forests, where the slaves once placed, would be secure from discovery—that the whole body of the colony were favourable to the trade, so much so, that even the Chief Justice, not perhaps the most active officer in preventing it, had officially declared, that the colonies looked upon the abolition of the Slave-trade as an injustice, and every man engaged in it as a meritorious character. When all these circumstances are taken into consideration, it is probable, that a multitude of disembarkations took place which were never discovered.

There are other cases, in which I have not positive proof, but the strongest grounds of suspicion. For example: Captain Lynne, of his majesty's ship Eclipse, in an official letter to his admiral, in 1812, says, "a brig was fitted out from the Sechelles, and brought back a cargo of new slaves, in number two hundred, from Madagascar." It is very possible, when captain Lynne is summoned before the committee, he may give us such information as may enable me to transfer this from the list of suspicions to the list of proveable cases. Another officer speaks of seven brigs and a schooner, which foundered in the Humianè in 1814. Another officer says, that seventeen vessels were equipped from Port Louis for the Slave-trade, between December 1818, and March 1819. And a number of other cases of the same description can be produced.

Taking, however, no notice of these cases of suspicion—no notice of the disembarkations which might have taken place, but which were never discovered—no notice of the cargoes of slaves brought in by the vessels that were captured in their successful voyages, or of those brought in by vessels that were never captured; but confining ourselves to that which is capable of proof, namely, that between thirty and forty vessels were captured, and nearly a hundred disembarkations witnessed, we have proof to the extent of a hundred and thirty cargoes. It would be difficult to say how many slaves were comprised in each of these cargoes. I have heard of a vessel with a thousand slaves aboard. Vessels have been captured with 100, 200, 400, 500, and 600, slaves. Rating each cargo at 200, we have, in these hundred and thirty cargoes, proof of Slave-trading to the extent of between twenty and thirty thousand human beings.

Now, if I stopped here, I should say I had proved my case. If I wished to convince the right hon. gentleman, that there had been smugglings at the Isle of Wight—if I showed to him, that so many vessels had been captured in that illicit trade—that so many landings had been witnessed—that so many officers, civil, military, and naval, united in declaring that, to the best of their knowledge and belief, smuggling had flourished for so many years—I take it, that the right hon. gentleman would think that there was pretty good reason for a strict inquiry. But I go further. There are certain observable circumstances which, to my mind, constitute a body of proof still more conclusive than any direct evidence. It is barely possible that all those persons whom I have enumerated—officers of the army, navy, and civil service, judges and governors—may have entered into a conspiracy to delude the people of England. But the facts to which I now allude, admit of no possibility of delusion. There are, I say, certain observable circumstances and marked peculiarities, which always exist where there is Slave-trading—which never exist where there is not Slave-trading—and which, therefore, constitute a test by which we may decide in any given colony, whether there has been, or has not been, this crime. The first test of this kind to which I shall refer, is the proportion of males and females. Gentlemen who have turned their attention to this subject, know that in colonies where the Slave-trade prevails, the males always greatly exceed the females. The trade, indeed, is a trade in males. I am assured by officers who have captured Slave vessels, that of the Negroes on board, there were at least ten males to one female—and the same thing appears by inspecting the official returns. So it was in the West Indies. The disproportion between the sexes was the great argument upon which the West Indians depended. They maintained that they could not keep up the population without the Slave-trade, because they had two males to one female. Mr. Pitt's answer was—"Abstain from the Slave-trade for a few years, and the population will right itself; nature will provide an equal proportion of males and females." This prediction has been exactly fulfilled. There are seventeen West-India colonies. In thirteen the females already exceed the males. In four the males exceed the females. But the total presents an excess of females over the males—the females being in number 360,558, the males 356,684.

Now then, let us see whether the population of the Mauritius resembles that of the West Indies as it was formerly, when there was Slave-trading, or now that there is none. In the Mauritius, by the official returns, the males were 41,015, and the females 22,754. And by the last returns from the Sechelles, dated January, 1825, there were five males to one female. Now, if this shows the existence of Slave-trading at all, it shows it to a vast extent. It is not occasional violations of law—it is not the act of a few French renegadoes, which could thus alter the laws of nature, and derange the proportion of the sexes. You have 21,000 males more, or 21,000 females less, than you ought to have. And this tells me, that some great engine has been at work—some vast machine has been in motion—to account for such a phenomenon.

The next point is equally inexplicable, except upon the presumption of Slave-trading: I mean the fact, that the foreign slaves in the Mauritius so much excelled the natives. In a country in which the Slave-trade has been abolished for a given time, if a vast majority of the slaves are natives, the presumption is, that there has not been Slave-trading. But if, in another colony similarly circumstanced, the great majority are foreign, and the few only Creole, there it is difficult to doubt that the law has been avoided. Now, I do not find in the West-India colonies, the number of Creoles greatly exceeding that of foreign. But, in the Mauritius I find the number of Creoles greatly falls short of that of foreign. Now, I must confess that my proof is not of that conclusive nature that I could wish. I have, from two West-India islands, the number of foreign slaves separated from the natives. But this is wanting at the Mauritius; and wanting, because the registry is in the utmost state of confusion. I am therefore reduced to the necessity of taking the best data I can procure—the advertisement of slaves in the newspapers. There I have from the vender the account of how many are foreign—how many natives. And, as a native slave, accustomed to the climate and to the mode of labour, and understanding the language, is more valuable than a foreign slave, I may fairly infer, that if he errs wilfully at all, it is in augmenting the number of Creoles, and reducing that of the foreign. I have extracted all the advertisements from all the newspapers I could procure; and, according to them, the proportion of foreign negroes to Creole, is as three to one. But, feeling the objection to this argument, that it is a comparison between the total in one case, and particular instances in the other, I have looked around me in order to find some less exceptionable comparison—and I have found it. We have the population of the Sechelles; and that population divided into the two classes of foreign and Creole. We have the same in two West-India islands. I wish it had been possible to compare them in the same year; but the returns from the Sechelles are in 1815, and from the West Indies in 1817. And the facts stand thus: In the West-India islands the population being 95,000, 85,000 are Creoles, 10,000 foreign. In the Sechelles the total being 6,500, 1,000 are Creoles, 5,500 foreign. So that you have, in the West Indies, eight natives to a foreigner—at the

Sechelles, five foreigners to a native. Supposing the population of the Sechelles had been equal (as indeed the population of the Sechelles and Mauritius together is nearly equal) to that of the West India islands, the result would be, that you would have 85,000 Creoles in the one, 15,000 in the other; 10,000 foreigners in the one, 85,000 in the other. There would have been a difference of 70,000 in each case. Now, I admit that this calculation is liable to some great deductions. First; we do not know that, at the moment of abolition, the proportions were the same—what they ought to have been to make the calculation perfectly correct. Secondly; the census in the West Indies was taken two years later than in the Sechelles. Thirdly; the Slave-trade was abolished in the West Indies earlier than it was at the Sechelles. Each of these causes calls for a considerable reduction. But make the greatest deductions possible, they are utterly insignificant in proof, that there is not a much larger proportion of foreign slaves in the Mauritius than there ought to be, upon the supposition of the abandoning of the Slave-trade at the time it was by law abolished.

There is another fact almost equally important. We know that the cultivation of sugar is the great and permanent motive for the introduction of slaves into a colony. I will not say that slaves are introduced for no other purpose; but I am persuaded that there never was an active Slave-trade except for the purpose of growing sugar; and if sugar ceased to be used, that crime would also cease. An increase, therefore, in the quantity of sugar produced, furnishes some criterion—by no means a perfect one, I admit—by which we may judge whether there has been any Slave-trading. In the year 1810, very little sugar was grown at the Mauritius. As far as I can learn, more was exported. Shortly after, there was an export of about half a million of pounds. In 1822 it amounted to thirty millions of pounds; that is, it had increased sixty-fold. Now, it may be said that this increase arose from an increase in the price of sugar, which had induced the proprietors to turn their attention from the growth of other articles to the growth of sugar. The fact, however, is, that they grew more of other articles in the latter period than in the former; and that the price of sugar, instead of rising, fell. For example: in 1819, the price was 30*s*. the cwt. and the export 50,000 cwt. In 1822, the price was 17*s*. the cwt. and the export 208,000 cwt. So that we have, in that short period, the price reduced nearly one-half, and the production increased four-fold.

There is another phenomenon equally remarkable. Bounties are paid upon the capture of each slave illicitly imported. If the Slave-trade were abolished in the Mauritius, as it was in the West Indies, there ought to be some proportion between the numbers captured at the Mauritius, and in the colonies in the West Indies. Now, I extract the following Return from a parliamentary document printed in 1822:—

A List of the number of captured Negroes, on account of whom Bounties have been paid out of his Majesty's Treasury, to the 31st of March, 1822, distinguishing the number for each Colony.

Antigua	
Barbadoes	
Berbice	
Bermuda	
Demerara	
Dominica	24
Grenada	3
Jamaica	40*
Montserrat	
Nevis	
St. Christopher	
St. Lucia	7
St. Vincent	
Tobago	
Trinidad	8
Virgin Islands	
Total for all the British West-India Islands	82
Bahama Islands	115†
Cape of Good Hope	8‡
Total for all the British Colonies exclusive of Mauritius	205
For Mauritius alone up to the same date	2,452

Now, if it were necessary, I could aggravate this argument very considerably. I could prove that the slaves in the West-Indies were not new slaves, but slaves removed from one island to another, and forfeited for technical errors. The only two real cases of Slave-trading are one at the Bahamas, where an insurgent privateer landed the slaves that were captured—another at Jamaica, where a Spanish vessel intended for Cuba, put into Jamaica from stress of weather. Whereas, the numbers stated at the Mauritius might be increased, if the account were made up to the present time; because, the Censeur, the Succès, the Industry, the Walter Farquhar, have been captured since the period at which that return was made up. But, let the argument stand as it does—in nineteen slave colonies bounties are paid on 205 slaves—in the twentieth, on 2,452. There are ten times as many captured in a single colony, as in all the other colonies put together.

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* These Negroes came from a vessel bound to Cuba, which by stress of weather put into Jamaica, where they hoped to dispose of them; but trying to do so, the parties were immediately seized, and tried, convicted, and transported. They were tried and convicted in the island itself. The names of the parties so convicted and transported were Hudson and Jones, two of the crew navigating in the Spanish vessel.

† The greatest part of these Negroes were landed from an insurgent privateer. Vide Bounty Paper made up at the Treasury, 30th of March, 1822.

‡ Two of these are said to be returned servants from Scotland.

Now, if the House will look at these facts together—that the male slaves double in amount the females—that the foreign slaves double in amount the creole—that the growth of sugar in 1822 was increased sixty-fold under a falling market—that the bounty on captured slaves at the Mauritius was ten times as great as in all the other colonies put together, I think the House will concur with me, that there has been Slave-trading.

Here are, independently of positive testimony, four tests—take any test you please, and it tells you that there has been Slave-trading, and, if at all, on a very large scale—a scale so large, as to change the whole statistics of the colony—a redundance of men, as compared with women—of foreign slaves, as compared with creoles—a quadrupled production upon a sinking market.

I come now to the Registry. It was established as a complete and perfect check against the Slave-trade. As such it was sent out to the colonies—as such it was recommended by our government to foreign powers—and it was sent by lord Bathurst to the Mauritius, with strict injunctions to carry all its regulations into effect; and the governor, in his reply, acknowledges, that if carried into effect, it will suppress the Slave-trade. It will surprise the House to hear, that almost all its important regulations have been rejected or neglected, at the Mauritius. For example—it was required, that the marks of each negro should be distinctly stated. In nineteen cases out of twenty this has not been done. It was required, that every person purchasing a negro should state the person from whom, and the estate from which, he was procured. At the Mauritius, they contented themselves with saying, that the negro was acquit, or acheté; but, whether from a bonâ fide proprietor, or from a slave-smuggler, from a neighbouring estate, or from the hold of a slave-ship—the only material question—no species of information was given by the register.

The House will, perhaps, see the state of confusion into which the registry has fallen by a single fact. In 1816, 87,352 slaves were returned. In 1819, 20,948; in 1822, 7,485. Now, by law, there is a fine upon the planter of 100*l.* on each slave omitted in the return. The difference between the first return and the last is 80,000 slaves. The penalty of 100*l.* on each of these slaves would amount to eight millions of money in 1819, and eight millions more in 1822; and every slave so omitted is by law free. I do not pretend to say whether these fines should or should not be remitted; or whether government should restore to the proprietors these slaves, which having actually belonged to them, have been forfeited by their neglect. But I warn government, that there are in the Mauritius many thousand negroes, who have been imported since 1810; who, by the laws of England, are free. And I give notice, that we demand the execution of the law in their favour. Government may relax the fines or the forfeitures which have been incurred by neglect; but they must not give to the planter what never belonged either to themselves or the planter—the negroes who have been imported contrary to law, since the year 1810. For example: on Mr. Telfair's estate, about 250 negroes were returned in 1816. No return is to be found in the Registry office in this country for 1819 and 1822. And there are abundance of witnesses who have seen from a thousand to twelve hundred negroes upon that same estate. Mr. Telfair, at least, shall be called upon to explain how these slaves were procured.

There is another symptom, I will not call it a proof, of slave trading. I mean the very dreadful treatment of the slaves at the Mauritius. I am one of those who think, that wherever there is slavery, there there is cruelty; and, therefore, mere cruelty would be no proof. But the excessive ill-treatment of the slaves at the Mauritius, and the mortality which that ill-treatment has produced, coupled with the fact, that the population has not diminished, are at least a strong corroboration of my opinions. Excessive labour, or excessive punishment, may be restrained by the reflection, that a substitute is not to be found, or only at a very great price, for that being, whom those excesses send to the grave. But, where the Slave-trade prevails—where there is a market, and that market abundantly supplied, there it is plain to experience and plain to reason, that the life of man will be held at a very cheap rate indeed. There was an officer of the Mauritius, whose duty it was to make a report to the governor, day by day, of the deaths of the negroes in his district. The population of that district was, I am told—for I have not proof—in 1816, somewhere about 11,000: in the next six years 6,565 died. Such a mortality proves excessive ill-treatment. But a population existing under such a mortality is proof of Slave-trading.

Now, I turn to another part, the population of the Sechelles. The House will recollect, that it has been already proved, by official documents, that there were five males to one female, and five foreign slaves to one native; which, if all other facts were wanting, would be sufficient to establish that there had been Slave-trading. There are three returns of the population of the Sechelles—that taken by the French immediately before the capture; that taken by captain Bevers shortly after the capture; and that taken by governor Farquhar in 1812. According to the French return, there were 1,200 negroes in 1810. In 1825, there were 6,000; that is, the population has increased five-fold. This is not all. In the interim, there have been exported from the Sechelles, openly and according to law, 2,000. There has also been an illicit trade. It is impossible to state what numbers have been smuggled; but I have reason to think I speak within compass when I say, that the illicit trade at least equalled that which was legal. To the 6,000, then, which remain at the Sechelles, must be added the 2,000 legally, and the 2,000 illegally removed. And thus you have a population, 1,200 in 1810, which has swelled to 10,000 in 1825.

Now let us look at this a little more in detail. The population was originally 1,200. It would be fair to suppose, that the males form a greater proportion to the females then than now. For Slave-trading was then permitted; and now it has been prohibited for fourteen years. But, in order to be quite within compass, we will take the proportion in 1810, as they are proved to be in 1825; that is, five males to a female. There were, then, 1,000 males, and 200 females. First, as to the males—1,000 in 1810, exported, nearly 4,000, remaining 5,000. That is, the 1,000 males have multiplied to 9,000. The females are still more curious. There were 200 originally; of these 150 have been exported. The 50 who remained, with the assistance they received from the others, while they continued in the island, have been the mothers of the whole colony. That is, they have produced 9,000 living children. But, it is computed, that one half the negro children die in the first month. That would give them a family of 18,000 children. It is calculated, that in a given number of females, some die—if any died, the wonder is increased. It is calculated, that in a given population of females, only one out of four bears children. This would still more increase the wonder. If I were not afraid of throwing an air of ridicule over a subject in itself so serious, I would tell you how many children each of these matrons must have produced—every year, every month, every day, of that period. But I confine myself to say, that whether you take the census of the French, of captain Bevers, or of governor Farquhar, it is absolutely impossible that the population of the Sechelles should have been produced, except by the Slave-trade.

If any one disputes the inference drawn from the facts I have already stated, let him now attend to me, and I will give him a numerical demonstration, that there has been Slave-trading. In 1812, the governor says, that the population of the Sechelles was 3,000. I will suppose, for argument sake, that all these were foreign slaves. I will suppose that none of them died, and that none of them were exported. You ought to have had, in 1815, these identical 3,000 foreign slaves. By the official return you have 5,500 foreign slaves. That is, you have 2,500 who must have been imported.

With respect to the Mauritius, the population, when we captured the island, was 60,000. I suppose that this account is not far from correct; because the French, by their census, make it 60,000 shortly before the capture, and the English 59,700 immediately after. We will take it, therefore, at 60,000 in 1810. In 1812, the governor says, the slave population decreased at the rate of five per cent per annum. In five years, therefore, it ought to have decreased 15,000: that is, it ought to have been 45,000. The census was taken at the end of these five years, and it was found to be 87,000. That is, 42,000 more than it ought to be.

Again in 1815, the planters themselves returned 87,000. I suppose that they returned every slave they had—because it was their interest to do so. Nevertheless, three years after, we are informed, upon the official authority of the governor, that there were 40,000 slaves in the island, which had never been returned at all.

I may be asked why, having these three demonstrations, I have troubled the House with so large a range of proof. I have done so, because it is almost incredible to my mind, that such things should have been done in a British colony, and under the eye of British officers. I would not myself believe it, if I had not proofs equally conclusive, derived from so many quarters. I would not have believed that a British officer, the representative of his majesty, could have addressed a despatch to lord Bathurst, craving permission to permit the Slave-trade, as I find dated the 15th of February, 1811. He pleads earnestly, and argues strongly, for its continuance. He says that the abolition law does not extend to the Mauritius—in which he is mistaken. He goes on to say, that if it did, we having, by the capitulation, guaranteed the laws, customs, and religion of the island, Slave-trading, of course, was included. Next, he says that we did wink at the Slave-trade in Trinidad, after the Abolition act passed—in this he is mistaken. He then goes on to argue, à fortiori, that it must be tolerated in the Mauritius, where slavery is the very soul of their existence, where universal torpor and poverty must reign without it, so that the islands must decome deserts, if the importation of new negroes was denied.

Now, then, I have gone through my case. I have proved Slave-trading, by vessels engaged in the trade—by disembarkations witnessed. I have proved the same thing by the state of the population; which is exactly what it ought to be on the supposition that the Slave-trade has flourished, and exactly what it ought not to be, on the supposition that the Slave-trade has been abandoned—the males being double the females—the foreign negroes being double the creole. The same thing have I proved by the increasing growth of sugar, on a falling market—by the bounties paid on negroes illicitly imported—which are ten times as great in one colony as in all the other colonies of Great Britain—by the state of the registry—by the fact, that the population has thriven and multiplied, in spite of an unheard-of mortality. And, if these are not enough, I have proved the same thing by three distinct numerical demonstrations.

Now, I appeal to the House, whether I have not argued this question strictly, and upon its own merits, without an attempt to inflame their feelings by a recital of the horrors with which the Slave-trade is invariably attended? But, it being my duty to urge the House to lose no time in stopping such abominations, I am bound, painful as it is, to open to you some of the horrors of such a system. It is right that the House—that the country—that the world—should know how slaves are procured. One mode is—and we have an instance of it in these papers, in the case of the Voyageur—for the crew to disembark at night-fall, surround a village, and capture the inhabitants. Another mode is, that bodies of armed ruffians traverse the country, surprise females—(we have an instance of this; the sister of a native king having been thus taken and conveyed to the Mauritius)—stealing children, and sometimes taking unarmed men. But the more usual course I am now about to describe. I do so upon the authority of captain Moresby, an officer who had peculiar opportunities of observing personally the mode in which slaves were procured: "The Arab traders from the Coast of Zawyiban go up the country provided with trinkets and beads strung in various forms; thus they arrive at a point where little intercourse has taken place, and where the inhabitants are in a state of barbarism, here they display their beads and trinkets to the slaves, according to the number of slaves they want. A certain village is doomed to be surprised; in a short time the Arabs have their choice of its inhabitants—the old and infirm are either left to perish or be slaughtered."

In fact, as I gather from other sources, they surround the village in the night, set fire to it in various places, slaughter some, burn others. The remainder are collected the next morning: the old, the young, the infirm, are despatched, and the remnant is the booty. This is the first step. The second I derive from the report of an officer, major Gray, who was employed to travel in Africa by our government. He says, "On the 10th of February, 1821, Samba, who had been absent from his town since the preceding night came to tell me that the Kaartans had gone into Bondoo on a plundering excursion that morning. They had made 107 prisoners, chiefly women and children, and had taken about 240 head of cattle. Many of these unfortunate beings were known to me. The men were tied in pairs by the neck, their hands secured behind their backs; the women by the necks only. I had an opportunity of witnessing during this short march, the new made slaves, and the sufferings to which they are subjected in their first state of bondage. They were hurried along, tied as I before stated, at a pace little short of running, to enable them to keep up with the horsemen who drove them on as Smithfield drovers do fatigued bullocks. Many of the women were old, and unable to bear such treatment. One in particular would not have failed to excite the tenderest feelings of compassion in the breast of any, save a savage African; she was at least 60 years old, in the most miserable state of emaciation and debility; nearly doubled together, and with difficulty dragging her tottering limbs along: to crown the picture, she was naked, save from her waist to about half way to the knees. All this did not prevent her inhuman captors from making her carry a heavy load of water, while, with a rope about her neck he drove her before his horse, and whenever she showed the least inclination to stop, he beat her in the most unmerciful manner with a stick. The sufferings of the poor slaves, during a march of eight hours, partly under an excessively hot sun, heavily laden with water, of which they were allowed to drink but very sparingly, and travelling barefoot on a hard and broken soil, covered with thorny underwood, may be more easily conceived than described. One young woman, who had, for the first time, become a mother only two days before she was taken, and whose child being thought by the captor too young to be worth saving, was thrown by the monster into its burning hut, from which the flames had just obliged the mother to retreat, suffered so much from the swollen state of her bosom, that her moans might frequently be heard at the distance of some hundred yards, when refusing to go on, she implored her fiend-like captor to put an end to her existence—but that would have been too great a sacrifice to humanity, and a few blows with a leathern horse-felter soon made the wretched creature move again. A man also lay down, and neither blows, entreaties nor threats of death could induce him to move. He was thrown across a horse, his face down, and with his hands and feet tied together under the animal's chest, was carried along for some time. Never did I witness, nor did I think human nature could endure, such torments as were inflicted on this man. When he refused to go on they had recourse to a mode of compulsion, which I have been told is common on these occasions, but of too disgusting a nature to be described."

This is the second step. The third I describe in the words of captain Moresby. "The Arab dows, or vessels, are large unwieldy open boats without a deck. In these vessels temporary platforms of bamboos are erected, leaving a narrow passage in the centre. The negroes are then stowed, in the literal sense of the word, in bulk, the first along the floor of the vessel, two adults side by side, with a boy or girl resting between or on them, until the tier is complete. Over them the first platform is laid, supported an inch or two clear of their bodies, when a second tier is stowed, and so on until they reach above the gunwale of the vessel.

"The voyage, they expect, will not exceed 24 or 48 hours; it often happens that a calm, or unexpected land breeze, delays their progress—in this case a few hours are sufficient to decide the fate of the cargo; those of the lower portion of the cargo that die cannot be removed. They remain until the upper part are dead, and thrown over, and from a cargo of from 200 to 400, stowed in this way, it has been known that not a dozen at the expiration of ten days have reached Zanzibar. On the arrival of the vessels at Zanzibar the cargo are landed; those that can walk up the beach are arranged for the inspection of the Iman's oficer, and the payment of duties—those that are weak, or maimed by the voyage, are left for the coming tide to relieve their miseries. An examination then takes place, which for brutality has never been exceeded in Smithfield, perhaps the bargain is concluded for a well grown young man from six to nine dollars, for a girl near the age of puberty, more."

The fourth step is the Middle Passage, the horrors of which are beyond description. I find in the reports of all the officers who have captured slave vessels, statements which make one wonder at the possible wickedness and hard-heartedness of man. There were some points in which they all agreed. For example, the mode of packing. The hold of a slave vessel is from two to four feet high. It is filled with as many human beings as it will conveniently hold. They are made to sit down, with their heads between their knees: first, a line is placed close to the side of the vessel: then, another line, and then the packer, armed with a heavy club, strikes at the feet of this last line, in order to make them press as closely as possible against those behind. And so the packing goes on, until, to use the expression of an eye-witness, "they are wedged together in one mass of living corruption." Then, the stench is so dreadful, that I am assured by an officer, that holding his head for a few moments over the air-hole was almost fatal to his life. Thus it is—suffocating from want of air—starving for want of food—parched with thirst for want of water—these creatures are compelled to perform a voyage of fourteen hundred miles. No wonder the mortality is dreadful! There are instances in which one third of the cargo perish. There are other instances, in which there is still greater mortality. The last vessel that was taken, was the Walter Farquhar. The slave-traders, seeing that they could not escape capture, threw over-board several of the negroes, choosing rather that they should perish, than that they should fall into the hands of the English. I have the fact upon the authority of the captain: On the authority of one of the officers who boarded the vessel, I have this statement; "her decks were so crowded, that I could scarcely get fore and aft. They clung to me, as conscious of some good being done for them. In fact, they could not contain their joy, nor did they know how to express it, but by tears and gestures. They kissed the hands of the sailors, and welcomed them with every natural expression of gratitude." The officer, seeing they were in a starving condition, had the boiler filled with rice. But the hunger of these poor creatures could not be restrained. "They rushed," says the officer, "with the impatience of starvation, plunged their hands into the boiling cauldron, and eagerly devoured the heated morsel which they could grasp." Fifteen days before, this vessel had left Mosambique with 190 slaves on board; fifty had already died, and, but for their capture, there is every reason to think, that half, if not more of the remainder, would have perished.

No man's imagination, however active, is sufficiently strong to embrace all the horrors of this trade. Let us dismiss from our recollection the suffering which is endured—the alarm which must prevail in Africa, fatal to industry and to social happiness; the distress of the poor creatures who are goaded across the desert; the agonies endured on board the Arab Dows, and all the miseries of the Middle Passage: and let us confine ourselves merely to the murders committed. Let us embrace in one calculation, those who perish on board the slave ships, those who are suffocated in the voyage to Zanzibar, those who expire in the march across the desert, those who are murdered in the original conflagration—and then it will appear to all, that for every human being who is imported into the Mauritius, at least two others have been murdered.

But, terrible as is the contemplation of such foul crimes, there is a consideration which swells its horrors a thousand fold. The Slave-trade at the Mauritius, is the apology for the Slave-trade of the whole world. We all know that the Slave-trade exists by the connivance of France; that the French flag covers the villainies of all nations. Reproached with this by us, the French turn upon us and say, "Look at home—purify yourselves—take the beam out of your own eye—we know what has been doing at the Sechelles—we know how the Slave-trade has been tolerated at your own colony of the Mauritius." It is most provoking to reflect, that but six weeks ago, the question of the Slave-trade was brought before the Assembly of Deputies in France, under auspices peculiarly promising. Vessels had been seized at Nantz, laden with those implements of torture which the Slave-trade requires—petitions against the Slave-trade had come from various considerable towns. A good feeling had grown up; and there seemed every probability (I have the fact from the highest authority)—that the result of that night's debate would be the abolition of the French Slave-trade. A deputy, M. Duden, a native of Bourbon, rose in his place and said, "It is true we do encourage the

Slave-trade—we do so in imitation of the English—your benevolence, so inert in your own dominions, has no right to be so active in ours." And thus, the question was lost.

Now, in what a posture of degradation does this place us! We, bound by every principle and every pledge—by the letter of our law, by the tenets of our religion, by the treaties we have signed, by the professions we have made, by our own boasts of our own unsullied integrity, by the reproaches we have vented against the duplicity of others—bound to stand before the world as examples. And, what are we? Not only criminals ourselves, but the apologists for the criminality of others. Make the best of it, still the reputation of the country has been sorely tarnished—I will not say irrevocably lost. She may still retrieve her character. It is only recently that I have made these surprising discoveries, which, for the first time, I unveil to the country this night. This is the moment for parliament to act—to shew to the world that she does not tolerate the Slave-trade. Doing this, we may again presume to hold up our heads—we may again have the honour of raising our voices in behalf of humanity. But, refusing to do this, there is an end of our abolition labours. No more high-sounding treaties with the Imaun of Muscal, or the king of Madagascar—no more exultations at our own righteousness—no more remonstrances against the hollowness of France! England will stand as the worst of Slave-traders, and the chief of convicted hypocrites. I now move,

"That a Select Committee be appointed, to inquire whether the Slave-trade has prevailed at the Mauritius, and to what extent, and the causes thereof; and to Report thereon to the House."

Sir *R. Farquhar* declared, that, when he came down to the House that evening, he was totally in the dark as to the tendency of the hon. member's motion; the scope which he meant to take, or the extent of the facts which he meant to go upon. He always understood, that it was usual to give any hon. member whose conduct was attacked, at least a private notice of what he meant to do; but no such notice had he received. He hoped, therefore, that the House would extend their indulgence to him, while he entered into an explanation of what had been alleged against him. The hon. member, in bringing forward his motion, had artfully spread his facts over a space of sixteen years, taking very good care to direct the attention of the House to the earlier period, keeping altogether clear of the last six years, during which not one act of Slave-trading could be proved to have taken place in that colony, except that which had been brought under the consideration of the House last year. Notwithstanding the loud and pompous declamation of the hon. member—notwithstanding the various statements he had made—the House would have seen, had the necessary papers been printed, that the whole of his argument would have fallen to the ground—that he would not have had a leg to stand upon. But, as such was not the case, it was evident that both he, and the House, were taken by surprise by the motion. And even if he could have called for the necessary documents, they would have been as voluminous as Chambers's dictionary in quarto. The hon. member, too, had introduced this question, knowing that, when it was before the House last year, it did not appear that there existed a vestige of the Slave-trade in that colony. This was a fact which could now be proved to the satisfaction of the House, if time had been only given for the production of the papers. At all events, he hoped that, from the multiplicity of details into which the hon. member had entered, the House would extend to him their indulgence. The hon. member had adverted to five particular instances, the facts relative to which it was impossible he could carry in his mind at this distance of time. He could not, however, help observing the dexterity with which the hon. member had upon this, as well as upon a former occasion, attempted to enlist the West-Indian interest in his favour. He hoped, however, that that body were too honourable to lend themselves to such a proceeding. The hon. member had embarked upon a voyage of discovery into the events of the last sixteen years; but he appeared to be in the situation of certain persons who, finding that they could gain nothing by law, were anxious to turn round, and try how much could be gained by what was called a fishing bill in Chancery. Some of the charges made against him had reference to a period when he was four thousand miles distant, and for which, of course, he could not be responsible. The charge of the hon. member, therefore, as far as he was personally concerned, he rejected with scorn. His attack was, "telum imbelle sine ictu." But, in defence of an hon. gentleman not present (Mr. Telfair), he felt bound to say that they were totally unfounded. He came to that conclusion from his long experience of that individual, and from the knowledge which his greatest enemies had of all his actions. They had the power, if they thought he was doing wrong, to search all over his estate for the proof of his guilt. They had the opportunity of examining every slave on his plantation. If those persons had not acted in this way, what was the inference? The fair inference was, that they had no grounds for accusation or complaint. No charge, however, had been substantiated against that individual; but there was no paucity of hints or insinuations. [The hon. baronet here read an extract of a letter from the chief judge of the Mauritius to general Hall, in support of his position]. The hon. gentleman had commenced by saying, that he would not refer to the papers which were ordered to be printed: but, so far as he could judge, he had reason to think that the hon. gentleman had, on the contrary, made a very extensive use of them. He, however, doubted very much whether it was courteous in the hon. gentleman to have recourse to those papers in manuscript, without the House being at all acquainted with their contents. He did not think that such a proceeding was consistent with that decent respect which was due to the House. The hon. member, so far from having made no use of those papers, had seen them all in manuscript, and had come down very well charged with their contents, so far as they answered his own purpose. It was to be recollected, that all the hon. member's facts, and all his observations, related to the year 1819, and the early part of 1820, and not to a posterior period. With regard to the affair of captain Lynn, it was undoubted, that a capitulation had been made at Tamatave; and the papers showed, that the slaves were the property of the inhabitants; and it was agreed that they should be returned and go with their owners to the Mauritius. The hon. member had asserted, that great fraud had been committed; and all he (sir R. F.) could say in reply was, that the usmost pains were taken to prevent it. It wat upon this point that the hon. gentleman had quoted the statement of an Admiral, to show that he (sir R. F.) had encouraged the Slave-trade. The whole subject had been discussed in "The Edinburgh Review;" and the editors had subsequently done him (sir R. F.) the justice to make an apology for their observations upon his conduct, as far as related to the business of Tamatave. So much for that affair, and for the statement of the belief of an admiral, on which the hon. gentleman had relied. He entreated the hon. gentleman, and the House at large, not to confound the Seychelles with the Mauritius. The Seychelles were an Archipelago of ten or twelve islands, at the distance of not less than a thousand miles from the Mauritius; as distant as Gibraltar was from Downing-street. He had used all the means in his power to obstruct the Slave-trade, and to punish those who persevered in it, and he had ultimately succeeded in extinguishing it in the Mauritius; but he could have no authority at a point so distant as the Seychelles, and he could be no more responsible for what was done there, than the British government could be for any transactions at Gibraltar. The next observation of the hon. gentleman was, that there were forty thousand more slaves in Mauritius than had been registered; and this supposed fact he endeavoured to establish by various mathematical problems and solutions. All he could say was, that he had never denied, and indeed it was admitted last year, that up to 1820, when he returned from his government, there had been several extensive debarkations of slaves. When, however, the hon. gentleman asserted, that such a number as forty thousand slaves had been fraudulently and illegally introduced into the Mauritius, he must withhold his belief of it. He was sure that there was no adequate foundation for any such exaggerated calculation. In the early part of his government, fraudulent importations had been made; but though he had not brought it down with him, he had in his possession a memorandum, in the hand-writing of the French general Decaen, a very able and intelligent officer, in the following terms:—"The returns of slaves at the Mauritius are fifty-nine thousand by the tax-roll, but to my certain knowledge, from information I derive from my commissaries and others, there are eighty-thousand slaves in the colony." This was almost decisive upon the point; and it was, besides, to be recollected, that the law of registration was very defective, and that, although it might be applicable to other possessions, it was very unfit for the Mauritius: it could no more be applied to all the colonies than a cobbler could make one last suit the feet of all his customers. The defectiveness of the law of registration was admitted on all hands, and a new system had been sent out; for it was soon discovered that the old one would not answer the purpose. Allowance ought, besides, to be made for between seven and ten thousand slaves carried off in 1819, by the cholera morbus. But, barring these, he maintained that the slave population of the Mauritius had remained very stationary. With regard to what had been said of the population of Port Louis, it would be just as applicable to mention that the population of London had augmented, as the additional number was no proof of the existence of Slave-trading. It was acknowledged that there had been a depreciation of 30 per cent in the currency, which might fully account for the advance in the price of sugar; but, after he restored the currency to a wholesome state, the price of sugar was reduced to its former standard. The hon. member had next called the attention of the House to what he termed the appearance of a whole fleet of vessels off the coast, which had induced a colonel to call out the troops, and establish military law, under the apprehension that an invasion was to be attempted. Afterwards it turned out, that the supposed fleet of enemies was only a fleet of slave-traders. The fact was, that there was certainly one slave-vessel; but the colonel had resorted to measures of such extraordinary violence, entering houses, and other acts of the same kind, that in order to justify himself he had written over, that he had mistaken a large fleet of slave-traders for an invading enemy. There was, however, no more ground for an apprehension of the kind, than there was at this moment to fear the appearance of a hostile Russian navy off Spithead. Two small vessels, with about 150 slaves, were afterwards seized, prosecuted, and condemned. He admitted that there had been some illegal introductions; but, if an opportunity had been afforded for examining the papers, it would have been seen that they were to a comparatively trifling extent. He should say, that, on an average, each vessel did not convey more than one hundred slaves. They were chiefly small schooners; and, however closely they might be packed, the largest would not hold more than 150 or 200, and others not more than 70 or 80 slaves. The grossest misrepresentations had been made upon this point on both sides. In the Morning Chronicle he had read a paragraph, bearing the stamp of a certain mint, which asserted that 70,000 slaves had been illegally introduced into the Mauritius, and that they were thrown upon the coast there in the most open way. It went on to add, that the Slave-trade was carried on from Seychelles, and that a linguist was sent out to teach them French for six months, after which they were brought to the Mauritius with impunity. The whole was a most incredible story; but both statements could not be true: either the slaves were not thrown upon the coast in the most open way, or, if they were, it could not be necessary to teach them French. It was represented, that the disproportion of the sexes was a little more than two to one; so that if the Slave-trade had been carried on, the effect had not been to increase that disproportion. Now, he maintained, that the slave population of the island was 80,000; and he might have originally said, that from the cholera morbus, and other causes, there was an annual decrease of 5 per cent; but that decrease had subsequently been overcome by the better treatment of the negroes, and the introduction of cattle, which diminished the necessity of human labour. By a return he had obtained only two days ago, it appeared that the annual diminution of 5 per cent no longer existed, and the disproportion of the sexes was less than it had been. He had himself visited the plantations and habitations of several individuals, and found that the sexes were well paired, and that the population was proceeding in the regular course, so as to enable the colony to flourish without the introduction of fresh slaves. It was impossible to ascertain in what way the mathematical problems of the hon. member for Weymouth were to be solved. If the population increased, the charge was, that the effect was produced by the illicit introduction of slaves: if, on the other hand, it decreased, then it was owing to the barbarous treatment of the wretched negroes. As to Belle Ombre, he knew nothing of the hon. member's information, but he had heard that some soldier had made a certain statement. It appeared, however, to him, that all that Mr. Higginson represented could be most easily and naturally explained: he saw a schooner, and blacks going backwards and forwards in boats. The planters were obliged to employ schooners for their produce, and that produce was conveyed on board by means of slave sailors, who, of course, went to and fro to unload or load the vessels. Nothing better than suspicion had been advanced by the hon. gentleman; but the fair inference was, that what Mr. Higginson saw was only the exercise of honest commerce in a legal manner. With regard to seizures by soldiers, positive orders had been sent out, that they should not be allowed to seize, as they were not competent to do so, but that they were only to give information to a magistrate, who was to carry the law into effect. Such a decision was founded on wisdom and prudence. He begged also to observe, in allusion to another part of the hon. member's speech, that no comparison could be fairly instituted between the West Indies and the Mauritius. The former had long been prepared for the change in the law by the debates in parliament, while the inhabitants of the Mauritius were in ignorance upon the subject; and as a conquered French colony, it could not be supposed favourable to the abolition of the Slave-trade. The hon. member had given great importance to what was really a very trivial matter—the letter which he (sir R. F.) had written. When he went to the Mauritius from India, nothing was known regarding the new regulations for slaves; and, under such circumstances, it was very natural for the inhabitants to ask, whether they might be permitted to obtain a proportion of female slaves. He remembered that he had not tolerated it; he felt that the Slave-trade was abolished in the island the moment the British flag was floating over it; but he saw no reason why he should not submit the question to the British government. Certain seizures of slaves and slave-ships had been made, and they were sent to the Cape of Good Hope for adjudication, and the court decided, that the islands just ceded did not come within the provisions of the law. The high Court of Admiralty in England had confirmed this judgment; so that he could not be held very blameable in entertaining a similar opinion. The hon. member had remarked upon the produce of the island, and especially upon the increased growth of sugar. But, it ought to be remembered, that the Mauritius was liable to be desolated once, and sometimes twice, a year, by the most dreadful hurricanes, which levelled and destroyed all the coffee and cocoa plantations. It was natural, therefore, that the inhabitants should turn their attention to the cultivation of sugar, which alone was capable of resisting those hurricanes. The hon. member had likewise relied upon a list of the bounties paid upon captured slaves, up to 1822; but he had not extended his inquiries to the two subsequent years, well knowing that the return would be nil. It was to be observed also, that the number of seizures since were of Portuguese and French vessels. With respect to the slave population of the Mauritius, he had, in 1813, sent home all the returns on the subject that he could possibly collect. As to the Seychelles, there was a great decrease of the slaves in those islands. The slaves had, in fact, gone to the Mauritius; for the wood in the Seychelles had been cut down, and afterwards the islands could not be made to produce any thing. Every possible exertion had been made to prohibit the introduction of slaves into the Mauritius. But the transfer of slaves from the Seychelles into that island was perfectly legal; as much so as the transfer of slaves from one British colony to another. The hon. gentleman had drawn a lamentable picture of slavery. He (sir R. F.) yielded to none in his abhorrence of slavery, and had done every thing that appeared best calculated to put an end to the traffic on the coast of Africa. The hon. gentleman had alluded to the Arab hordes; but, whatever excesses they might have committed, there never was any treaty with them for the removal of slaves. The hon. gentleman had avoided to notice the good which he (sir R. F.) had effected during his stay in the Mauritius, while he, per contra, was at all times ready to admit that much was due to the hon. gentleman for his unwearied exertions to put down the Slave-trade. He himself had also contributed his best exertions to produce a similar effect; and he was happy to say that, owing to those exertions, during his residence in the Mauritius, the French Slave-traders were entirely shut out from trafficking on the eastern shores of the colony, and were obliged to resort to the west.—He believed that he had now gone through the principal points which had been urged by the hon. gentleman, and he had nothing further to offer by way of remark or explanation on the statement which had been brought forward that night, which he hoped he had now sufficiently refuted. With respect to cruelty of conduct on the part of the master to his slaves, where such had existed, it was always put down by his majesty's government and met with the severest reprehension. With respect to the letter which he had written, and to which allusion had been made, he could only say that he had written that letter under the conviction, that he was justified by circumstances in so doing. If any parties were to blame, his majesty's government should be exonerated from censure; for they had always set their face against the Slave-trade. To his certain knowledge the French authorities had protected the most nefarious Slave-trade that had ever prevailed. Every measure of his government, with respect to the slave traffic, had for its object to put an end to that trade. But he had not thought it expedient to tell those who had been employed in the trade, that they were mere felons, his wish being to avoid irritating the people. His object had been to produce a just moral feeling on the subject in the minds of the people; and, in point of fact, the principal persons who were engaged in these slave expeditions were renegadoes and pirates. From the anomalous state of the law, he did not think it prudent to proceed with the utmost severity. And yet when the judges at Bourbon, at the time it was in our possession, refused to recognize the act of parliament for the abolition of the Slave-trade, he had suspended the whole bench, until he brought them to a better temper. No means were, in fact, neglected by him. He had done all he could, with the tools he had; and he left it to the higher authorities to do the rest in a regular manner. He begged pardon of the House for speaking of himself, but he was forced to do so by the hon. member's course of proceeding. His first object was to effect a moral improvement in the island; and he was justified by high authorities in saying, that a moral feeling, a disgust towards slavery, had taken place in the Mauritius. By this means, and by the measures he simultaneously took, he had been enabled to state last year, that the Slave-trade had ceased there. This he was authorized to state, upon the testimony of sir Lowry Cole, commodore Owen, and others. In August last, sir L. Cole wrote, that he had no reason to think that the people of the island had any concern in the trade, or that there was any Slave-trade in that quarter, as far as the Mauritius and its dependencies were concerned. Amongst the measures he had taken to repress the trade, he had entered into engagements with Radama, the king of Madagascar, and with the Imaum of Muscat; and they had had the most benign effects in extending civilization in those regions, as well as in consolidating the British power where the French had hitherto been predominant. In all his measures he had, in fact, co-operated with the benevolent efforts which the hon. gentleman and his friends were making in other quarters. But he could not help calling the attention of the House to the manner in which evidence had been collected against him by the hon. gentleman. He held in his hand a letter written by a Mr. Byam, who had been in his service at the Mauritius, to Mr. Scott, calling upon him to procure the evidence of some disbanded soldiers, at the Rampant-horse, Norwich, against governor Farquhar, for the use of Thomas Fowell Buxton, esq. member of parliament. He also held a letter written by a mutual friend of his, and of the hon. member, declaring that there was not a word of truth in the reports which had reached the hon. member, adding that, "his friend Buxton would hurt his head against the Mauritius, and be shipwrecked there, as he was." The writer was sir Robert Barclay, who had the misfortune to suffer shipwreck on the island. The writer concluded by saying, that he did not think any person in the Mauritius would purchase a slave. He would next refer to a letter from Mr. Veitch, the authorized British agent at Bourbon to him, which stated, that the Slave-trade had formerly been openly carried on; but, in consequence of his (sir R. Farquhar's) exertions, it was now confined to Madagascar, and several vessels had brought blacks from the west coast of Africa. He added, that the British flag had ceased to be disgraced by this nefarious traffic. In conclusion, he would refer to a letter from his friend Thomas Clarkson, esq. which, after complaining that sir Lowry Cole had taken away the pensions from the missionaries at Madagascar, expressed a hope that the treaty with Radama would be fulfilled, which he considered would be of infinite benefit. He could assure the House, that nothing but this most unexpected attack could have compelled him to trespass upon them so long. He had had so little time to prepare himself, that he had been able to make only pencil notes, which did not always assist him. He relied on the protection and indulgence of the House, and he was perfectly prepared for the fullest inquiry into his conduct.

Mr. *Wilmot Horton* said, that the House, he was sure, would sympathize with the hon. baronet in what had fallen from him. He did not mean to say that the hon. gentleman ought not, from any personal feeling towards any hon. member, to come forward and discharge his duty; yet, if he understood the hon. gentleman correctly, he had imputed indirect criminality to the hon. baronet. That being the case, he could not help expressing his regret that the papers upon the table of that House respecting the Mauritius had not been printed, and in the hands of members previous to this discussion. From the letters alluded to by the hon. gentleman, it certainly did appear, that the late governor of the Mauritius was charged with having winked at the traffic in slaves. Such a charge appeared to him extraordinary, when he considered that that hon. baronet had taken measures the most likely to put an end to that traffic; and he trusted the House would suspend their judgment until they should be in possession of more information. He could not reconcile the inconsistency, that a governor, who had taken such measures, should be guilty of culpable indifference, amounting to the sanction of the Slave-trade in the island of which he was governor. The House must be aware that the period of time at which the acts imputed were done, made all the difference in this case; and in order to arrive at a just decision, the House must be in possession of more specific information than they had at present. Did the hon. gentleman mean to say that the Slave-trade in the Mauritius had gone on up to the present period?

Mr. *F. Buxton.*—I mean to say, that it had gone on, up to the year 1824.

Mr. *Wilmot Horton*, in continuation, denied that it had been carried on, to any extent, since 1814. But, at all events, before any imputations were thrown out against the characters of gentlemen, the House ought to have all the information that could be procured on the subject; and, therefore, he thought that the hon. baronet had hardly been fairly dealt with by the hon. gentleman, who had gone so much at large into the subject at this premature period. The jealousy which the French had of our proceedings was, he thought, the cause of the repugnance they displayed to listen to our remonstrances, or imitate our example. As to the case of Mr. Telfair, alluded to by the hon. member, he was not prepared to answer, nor would he enter into the charge; but it might turn out that it was only an importation of apprentices—that ignorant witnesses might be deceived themselves, and might have deceived others—and it was therefore incumbent on the House to proceed with great caution in listening to any such accusations. The present governor of the Mauritius had gone there prepared to pursue his inquiries into the subject indefatigably. He could not understand how it was possible that the governor could be deceived, and was quite ready to assert, that if he had been so deceived it must have been from a united attempt on all hands to effect the deception. The uniform statements which had been made by every one to whom government had access was, that the Slave-trade had been fairly extinguished in that quarter. The policy of government had been to create in the minds of the people a feeling hostile to such a detestable traffic, and if the hon. member thought that policy wrong, or the creation of such a feeling unimportant, he had undoubtedly a right to blame government. He must own that he should like to hear something more definite from the hon. member, on a question of such vital importance, before he gave his consent to the motion. The hon. member ought to declare, what was the specific charge, and what was the precise period of time respecting which he wished for a committee of inquiry. If he did so, the same objection would not exist to the motion; but, in the present vague and undefined shape in which it was brought forward, he should feel himself called upon to oppose it.

Mr. *F. Buxton* explained, that it was his intention to bring the whole subject before the committee. The Slave-trade had existed before 1810, and had been certainly continued up to 1824. His inquiry would embrace the whole of that period.

Mr. *W. Horton* replied, that the papers already laid before the House, established the fact of the existence of the Slave-trade up to 1818, and he would therefore submit to the House, whether is would not be a waste of time to enter upon such an extensive injury, when no inquiry was necessary. The point which it was desirable to inquire into was, whether the Slave-trade existed now, and to what extent.

Mr. *F. Buxton* replied, that the Slave-trade was not put down, and he was prepared to show that it was not. He was surprised to see the slight notice taken by his hon. friend of the enormities he had brought under the notice of the House. Was it a waste of the time of the House to inquire whether these enormities existed? The Slave-trade was still carried on; and was it not the duty of the House to put a stop to it? He wished the House to see, by evidence, to what extent thes Slave-trade still existed, and he should persist in his motion.

Mr. Secretary *Canning* said, that if the motion were intended to convey matter of complaint against any individual, he should object to it in the strongest manner. He should certainly object to the hon. member's calling for a vote of that description, founded upon the contents of papers which the majority of the House had not yet had the opportunity of perusing. He should also have objected, upon a statement so vague and general, to go into an examination pointed against individual character. But, upon the ground of its being a question of national honour, in which light he had understood the hon. member to present it, and in which he did not differ from him upon the alleged imputation, that the Slave-trade carried on in the Mauritius was connived at, if not openly sanctioned by the governor, he was willing to agree to the motion. This charge had, in fact, often been thrown in their teeth, whilst they were endeavouring to infuse into foreign powers some of that feeling with which the people of this country were inspired, with reference to this detestable traffic. He understood the hon. gentleman to disclaim any imputation upon government, in the statement he had made; but he had declared, that the facts of the case established an imputation upon the country. As, therefore, the hon. gentleman offered to produce proofs that this trade did exist, he thought it would have a bad effect upon foreign countries if the British parliament were to refuse to enter into the examination of a case so recommended. Viewing the motion, therefore, in the light of a public question, and not as an individual charge, he was not disposed to offer any obstruction to it.

Mr. *Brougham* declared his concurrence in the view taken by the right hon. Secretary upon this question. He thought that the charges of his hon. friend did reflect on the country, on the government, and on the island in general. After the declaration of his hon. friend, that he would produce proofs of the truth of the statement he had made, he thought they had no option, but must proceed at once to institute the inquiry. He thought that, independent of the private information possessed by the hon. gentlemen opposite, which the House could not know, enough might be seen on the face of the returns, and the papers they were in possession of, to justify the House in going into an inquiry. A trade had been carried on, of which there had been no example in any other colony belonging to the Crown. After this island had been eleven years in our possession, the disproportion of the sexes amongst the slaves was a sufficient ground of alarm, and justified inquiry. It was nearly in the proportion of two to one, compared with the number at the conquest. In 1822, the numbers were, forty-one thousand males, and twenty-two thousand females. Then there had been a great increase of production in that island; the number of slaves captured, and on which a bounty had been allowed, was ten times greater in that island than in all the West-India islands put together. He said this to justify his opinion, that the West-India colonies were, in this respect, pure in comparison with this island. In the former, it would appear that the Slave-trade had been satisfactorily extirpated. He would vote simply on the facts before the House, and on the credit of the evidence which his hon. friend had promised to produce.

Sir *R. Farquhar* referred to the testimony of commodore Owen for the fact, that all along the West coast of Africa, vessels were employed in carrying on the Slave-trade. They usually went under the French flag, and carried their slaves to the isle of Bourbon, where the laxity of the government afforded them great encouragement.

The motion was agreed to, and a committee appointed.

Arrest for Debt.] Mr. *R. Martin* rose to move for leave to bring in a bill "to authorize sheriffs' and other officers to abstain from arresting, or to discharge persons arrested by them, who may be in such a state of health that they cannot be removed to gaol without danger to their lives." The hon. member, amidst loud and frequent cries of "question," went on for a short time to state the grounds on which his motion rested; but so frequent were the interruptions, that not more than one or two connected sentences reached the gallery. We understood the hon. member to say, that nothing could be more inconsistent with justice and humanity than to drag an unfortunate debtor to prison in a state of health in which the removal risked his life.—No discussion took place on the hon. member's motion, which was immediately negatived without a division.

Warehoused Corn Bill.] Mr. Huskisson moved the second reading of this bill.

Mr. *Sumner* said, that much as he objected to the measure, his objection was still stronger to the introduction of the subject, at an hour which would preclude any discussion; he would therefore move as an amendment, "That the House do now adjourn."

Lord *Milton* said, he would make an appeal to the House to go forward with the measure then before it. As the House had already sanctioned the principle of the first question, it would be desirable that the bill founded upon it should proceed; but as to expecting unanimity with respect to it, it would be quite unreasonable. He was anxious to take the present opportunity of asking the right hon. Secretary, whether the two bills now before the House included the whole of the measures intended by government for the relief of the distressed districts? It was well known that a subscription for the relief of the distressed manufacturers had been sanctioned by his majesty's ministers, thus obviously admitting that relief of a pecuniary nature was necessary. The question which he wished to ask them was, whether they were inclined to propose a grant of a sum of money as a means of relief, or, if it should be proposed by some other quarter, whether it would meet their approbation? Many persons were of opinion that the present was a case of that urgent nature, that it would justify the interposition of parliament in the manner to which he had alluded.

Mr. Secretary *Canning* said, that he could not better answer the question of the noble lord, than by informing him, that he had, within a few minutes, communicated with a gentleman, who had a notice of motion upon the subject for tomorrow, requesting him to postpone his motion for a few days; and when that motion was brought forward he would give the noble lord the answer he desired.

Mr. *Sumner* again pressed the motion of adjournment.

Mr. *Canning* said, that as it appeared to be the general wish of the House that the measure should proceed, and as he felt convinced that it was one which would be greatly for the advantage of the landed interest itself, he was determined to press the second reading that night. But with respect to the second bill (that for the importation of corn), as it was one which would be likely to lead to lengthened discussion, he would not bring it forward that night, but would defer it to afford a more convenient opportunity for going into that discussion.

Sir *E. Knatchbull* said, that if he understood the right hon. gentleman to pledge himself not to bring forward the second bill that night, he would consent to the present, and he hoped his hon. friend would be induced not to press his amendment. He was the more inclined to throw out this suggestion, as he found that the opinions of the great majority seemed to be in favour of going on with the first question. He therefore thought it better to let it proceed, and wait for the discussion of the second measure.

Sir *J. Sebright* concurred with the hon. member who had just sat down. It would, he thought, be advisable to allow the first bill to proceed, and he hoped the hon. member would not press his opposition.

Sir *T. Lethbridge* said, he hoped his hon. friend would listen to the wish of the House regarding the present proposition, and would see that he could not serve the feeling, which all in that House were anxious to promote, by persisting in his motion.

Mr. *H. Sumner* observed, that all he could say to the hon. member for Somerset was, that those who thought the present measure was one of no importance to the landed interest might consent to it; but, for himself, he had always been of opinion, that the measure was not only unnecessary, but calculated to injure the interests of the landed proprietors. Having those sentiments, he must act for himself; and if he stood alone, he would take the sense of the House upon it.

Mr. *Tremayne* concurred with the hon. member who spoke last, in thinking the measure uncalled for. There was nothing in the state of the country since the 18th of April which could render it necessary. After the full discussion, and the solemn decision to which the House had then come, he thought no alteration ought to be made in the Corn-laws. He would therefore support the amendment.

The House then divided:—For the original motion 174; For the amendment 2. The bill was then read a second time.

HOUSE OF LORDS.

Thursday, May 11.

CORN LAWS.] The order of the day having been moved,

The Earl of *Malmesbury* said, that in rising to propose the motion of which he had a few days since given notice, he assured their lordships that he felt considerable pain and embarrassment—pain, because it was his lot to differ upon the subject from many noble lords whose public opinions were generally in unison with his own, and whom in private he viewed with every sentiment of regard and esteem—and embarrassment, because, when he viewed the circumstances of the country in connexion with this great question, and the magnitude of the interests it involved, he had deeply to lament that some one of their lordships, of greater ability and greater experience, had not undertaken the task. The only excuse that he had to urge for what in him might appear presumption, was the kind indulgence with which their lordships had heard him on former occasions, when this subject was discussed. All he had to hope then, was, that if this cause, which he felt to be one of justice, should fail in his hands, that failure might not be attributed to its want of merit, but to the insufficiency of the individual who brought it forward. Before he entered fully into the question, he felt it necessary to state the reasons that induced him to bring it forward in its present shape. To some it might appear that he was prejudging that question by the motion which he offered to the House; but his own opinion was, that it was always better, if possible, when agitating an important measure, to give the House an opportunity of displaying its sentiments upon that measure, before it was brought forward in the shape of a bill. He would say nothing on the first of the measures then before the other House; but by the second it was proposed to place a power in the hands of ministers, to introduce 500,000 quarters of foreign corn into this country. The other House might be disposed to consent to that measure without fixing any duty at which the corn should be imported, and without limiting the time of importation. Their lordships might, on the contrary, not be disposed to sanction such a measure without a fixed rate of duty, and without the time of importation were limited. But if that were the case, such a measure would necessarily fall to the ground, because their lordships could say nothing about the duty. To satisfy their lordships of the propriety of his motion, he would enter into a short history of the present state of the question as to the Corn-laws. In the year 1825, the president of the Board of Trade, to whom he believed he might allude, in that speech with which he opened, in the month of March, his propositions for a free trade—he would say, his experiments in trade—distinctly stated, that it was the intention of government to revise the Corn-laws, but that it would not be done that session. The mention of such an intention necessarily had an injurious effect on the landed interest. The consideration of this important subject was accordingly not brought on; but, towards the close of the session two measures were proposed, which were a violation of the existing law. One was for the admission of 433,000 quarters of corn into the home market from under bond, and the other was a bill for establishing a free trade in grain with our North American colonies. The former measure had passed without any opposition; the latter had been strongly opposed. On the debate on the latter question, the noble earl opposite (Liverpool) had stated, that the duty of 5*s.* a quarter was to be laid on Canadian wheat, but he also stated, that, in his opinion, there ought to be no duty at all, and that the trade in corn with the colonies ought to be put on the same footing as the corn trade in the mother country. This was the principle of free trade carried to its extreme. This brought them to the close of the last session, and their lordships separated, leaving the country in a state of great prosperity. When they met this year they found a great change had taken place, and that the country was involved in deep distress. It was, however, stated by the noble earl opposite, that it was not the intention of government to touch the Corn-laws this session; that this was not a favourable time for agitating and settling so important a question; and that, in the state of the country, it would injure the agricultural, and could confer no benefit on the landed, interest. In this he entirely coincided with the noble earl: but, within a short period, not above ten days, he believed, the distress in the manufacturing districts had assumed the character of destructive disturbance. On that occasion, a noble friend of his suggested, that a vote of public money would be the proper mode of relieving the distress; and on making that suggestion, the noble earl opposite objected thereto, and stated that there were two more constitutional modes of relief; one was charity—and charitable as that country was, this was very seldom appealed to on so extensive a scale—the other was the poor-rates; and by them, as the sheet anchor, they must hold at last. He was quite within the mark, when he stated, that, of the whole poor-rates of the country, the landed interest already paid seven-tenths. The noble earl further stated, that two measures were in contemplation of the government. The one to let out the bonded corn; the other to permit an importation of foreign corn, in case of necessity. The ground of these measures was stated to be a possibility of scarcity, or an apprehension of scarcity; but he should prove that this apprehension was not well founded, by showing what quantity of foreign corn had been introduced into this country under the existing laws, since March 21st, 1825. In looking at the returns then on their lordships' table, he found that 433,000 quarters of wheat had been taken out of bond, and 95,000 had been imported from Canada, making a total of 528,000 quarters brought into the market. He might add to this the quantity of corn to be taken out of bond by the first of the proposed measures, to which he had no objection, amounting to 300,000 quarters, and the 500,000 quarters proposed to be introduced by the second measure, which would make, on the whole, 1,328,000 introduced into the country under the present Corn-law and these measures. As to scarcity, that was a visitation of Providence, which men must be prepared to meet; but he should, he thought, have good ground for adhering to the present law, if he showed, that under it more had been imported in these eleven months than had been imported, on an average, under the system which existed before 1815. The average quantity imported in years of peace and war, under that system, was 450,000 quarters a year; and he had just stated the quantity imported under the present system. To show what effect it had on prices, he would mention, that the average price in May 1815, was 56*s.*; in 1816 it was 75*s.*; but in November that year it rose to 96*s.* In May 1817, it was 105*s.*; while in May, 1825, it was 60*s.*—shewing, by the prices of the present year, that there was no very good ground for an apprehension of scarcity. The average prices of this year, and of last, confirmed what he had before stated, as to the improbability of scarcity. The averages were these:—On the 14th November, 1825, two months after the harvest, the price, was 65*s.* 4*d.*; while in Feb. 1826 no less than five months after the harvest, the price, instead of having risen, had actually fallen from 65*s.* to 60*s.* 5*d.* per quarter. If the supposition was, that the noble earl was correct, the House would of course expect, that in the present month of May, eight months after the harvest, the price must have increased considerably. Now, the fact was exactly the reverse; for in this month, the price had amounted to no more than 60*s.* 4*d.*; so that the price now had fallen no less than 5*s.* from the sum at which it had stood only two months after the harvest. It seemed to be an opinion now prevailing, that the quantity of corn in hand had decreased. Now, he thought he could satisfy the House, that though the quantity in the warehouses might be less, yet that that fact was no proof of the actual diminution of the quantity of corn in the country. It was a gratifying circumstance to him, that the poor farmers were not forced in the market to sell their produce at any price they could obtain; but that they were able to retain it, and only to introduce it into the market gradually. Such was the fact, he believed, especially with the farmers in Norfolk and Lincolnshire; and this fact he thought sufficient to justify him in saying, that though the warehouses were not full, that circumstance did not afford any proof that the stock in the country would be insufficient to supply the home consumption.—His objection to the measure now proposed extended itself both to the time and the manner of the proposition. If he could believe for one moment, that the present state of the Corn-laws was the cause of the distress now existing in the country, he should have no objection to the measure; but before he agreed to it, he wished to know, and he must ask that question, whether the Corn-laws were, in fact, the cause of the distress, or if not, what was the cause? Now, he believed, that if he were to ask such a question, he should receive a great number of different answers. The manufacturers of the country would answer him with a declaration, that combination was the cause. The workmen, if they were asked, would answer, that machinery had created the distress. Old-fashioned people like himself would say, that it proceeded from those principles of free trade lately introduced by his majesty's ministers; while another class of men seemed to point out the Corn-laws as its origin. Now, he believed another cause might also be assigned; and that was the unprincipled speculations last year. He knew that very many merchants of the highest reputation were of this opinion, in which he also agreed; but he must say, and he knew that these very merchants supported him in the belief, that the Corn-laws had nothing whatever to do with the matter. As he believed this himself, he wished to convince the world of the truth of his belief; and he, therefore, now presented himself to their lordships, to ask for an inquiry into the matter, as he had no doubt he should be able to prove it, by the testimony of at least six of the most respectable merchants of the city. Within a week he would prove this to be the case, if their lordships would grant him even that time for the inquiry. But he would go further, and show, that not only the Corn-laws were not the cause of the present distress, but that the measures now introduced to remedy that distress, let it proceed from what it might, were calculated only to increase it. For that reason he was averse to forcing on the present measure, and for that reason he felt justified in pressing their lordships to accede to his motion.—Another reason for his now appearing to claim their lordships' attention was, an expression used by the noble earl at the head of his majesty's government, as applicable to the protecting price at which alone foreign corn was to be admitted to the British market. That noble earl, in the course of his speech on a former occasion, had used the words "famine price;" now, he must confess, he was astonished at the expression, and he could not but ask what had occurred in the course of four short years, since 1822, to make that which was then considered a fair protecting price be now considered and described as a "famine price." He certainly must do the noble earl the justice to say, that he had followed up his description of "famine price" with an avowal, that what in one year might be a moderate price, in another year might, from a change of circumstance, become a famine price. But if that was the case, in what a state were the agriculturists placed, since the 12*s.* which was this year considered as a fair protecting duty, might next year be called a famine price. It was impossible that the landed interest could go on in that uncertain manner. It was impossible that any farms could be let, or any agreements entered into, if every year the price of corn, and consequently the rent of the land, was to depend on the circumstances of the manufacturers. If, however, there was a famine price as to corn, there would equally be a famine price as to all the other necessaries of life. The noble earl opposite, perhaps, did not minutely examine the bills of his hatter, his tailor, or his shoemaker; but if he did, he would find that a famine price as to corn could not exist, without a similar effect being observable in the price of his hat, his clothes, and his shoes. These were, as well as corn, the necessaries of life. Tea, which was perhaps almost a necessary among the lower orders, would experience the same increase in value; so would education, and so would labour of all kinds, as well as materials; for there was no saying to what point the increase of price ought not to go, since they were all liable to the same operation. If 65 were to be made the protecting price of corn, there must be a certain number of shillings added on account of the protecting duty; and he had already shown, that if the estimation of these was to be continually varying, there could be no stability in the concerns of the agricultural interest. He had mentioned education, and he should take that opportunity of saying, that he was a friend of education, because he believed it calculated to produce a benefit to the whole community; and, perhaps, one of the principal advantages of increasing the general mass of intellect was that of decreasing the quantity of prejudice. Now, he was of opinion, that the education diffused of late years among the people of this country had had that effect, and that if an inquiry should be granted, he should be able to prove what he had stated, and the spreading of that proof among the people could not fail to destroy the prejudice which now existed as to the Corn-laws. He wished it to be recollected, that the landed interest, so far from being protected from taxation, were, in fact, taxed beyond any other interest in the country. They could not have recourse to machinery to increase the quantity of their produce: and he had no doubt that the proof of the facts which he had already mentioned, and of some others to which this inquiry would naturally give rise, would do away any prejudice that might exist on the subject. He should now allude to Ireland—a country to which he looked as one of the great resources against that scarcity which the noble earl seemed to apprehend. They seemed not to be aware of the progress which had been made in that country among the agriculturists. He should take the liberty, on this subject, to quote some calculations from a book which was in the possession of most of their lordships—he meant Mr. Tooke's work—from which it appeared, that within the first three years of the importation of wheat from Ireland, dating from the year 1806, the quantity imported had amounted to 63,000 quarters of wheat. The difference between those years and the last three years, up to 1822, was most remarkable. In the three years, ending 1822, the quantity imported was 484,000 quarters—a quantity amounting to as much as the quantity of foreign corn that had been formerly imported. There were documents which gave an account of the quantity of corn and meal that had been imported into this country from Ireland. In the year 1815, the quantity (which he should prefer in his statement to the value, as that was always fluctuating), amounted to 1,600,000 barrels of wheat and flour. In the year 1825, only ten years afterwards, that quantity had increased to 3,700,000 barrels. That quantity was the more remarkable, as the trade to the colonies was almost done away with, since they had been permitted to receive American flour. He thought the proof of this in the Committee of Inquiry would have the effect of checking much of the spirit of disaffection now existing. His majesty's ministers had asked their lordships for their confidence, and had required them to consent to the measures now proposed, almost without examination. He was as ready as any one to place confidence in his majesty's ministers, and if there was any man in whom he should be more ready to place confidence than another, it was the noble earl at the head of his majesty's government. But when he differed from that noble earl in principle, when they came to a question on a measure which one considered as politic, and which the other deemed dangerous, it was no proof of want of confidence, if he refused that noble earl his vote on the measure. In consequence of that measure having been produced, a cloud had overhung the corn market, where every thing depended on the feeling between the buyer and the seller. If the corn buyer met the farmer with a confidence that what he bought he should be immediately able to sell, he would give a high price; but if the corn-factor saw he was likely to be met in the market by an importation of foreign corn, he would not give so high a price, and the farmer immediately became a sufferer, and would never be able to sell but at a minimum price. The same effect would be produced in the markets for other articles, if a similar course should be pursued. If the noble earl opposite had now on his hands 200,000 pairs of shoes imported from France, and proposed immediately to introduce them to the London market, he would have all the shoemakers in London in a state of insurrection. True it was, they might be told, as the landed proprietors were now told, that the quantity imported would form but an inconsiderable portion of the whole amount used in the course of the year; but such a statement would not satisfy them, for they would answer, that if the effect produced on them was bad, by lessening the demand for their labour, it made very little difference what was the comparative quantity introduced.—So much with respect to the measure itself. Now, with regard to the time at which it was introduced. He objected to its introduction before the 1st of June, previously to which time some more satisfactory information might be obtained, at least if his present motion should be granted; which would also give their lordships the opportunity of considering whether the measure now proposed could not be, in some degree, modelled, so as to avoid the disadvantages to which, in its present form, it was liable. He begged pardon of the House for having detained them so long, but he should now conclude by expressing his earnest hopes that they would accede to his motion—that they would not pass this measure, without further considering the interests of the landed proprietors, not as a class by themselves, but as a class with the interests of which every other class was connected. He required nothing but a fair and open consideration of the question, and he asked for this inquiry in the confident belief, that its result must be to make the landed interest triumphant. He had no other motive in making the present motion but the good of a class of the community which carried all others along with it, and with which they must all be prosperous or distressed. The noble earl concluded by moving a resolution to the following effect:—"That this House, though feeling the most anxious desire to contribute all in their power to the relief of the suffering classes of the community, is, nevertheless of opinion, that it is not expedient to consent to any measure for the alteration or suspension of the existing system of the Corn-laws with regard to the admission of foreign corn into the British markets for home consumption, without first instituting an inquiry into the relative effects of such proposed alteration or suspension, both on the grower and consumer of British corn."

Earl *Bathurst* said, that it had been the opinion of his majesty's ministers, an opinion which they had expressed in that House, and in which they were justified by circumstances, and supported by the opinions of others, that the present was not the fit time to discuss the operation of the Corn-laws. The noble earl who had just resumed his seat seemed to differ from that opinion, and offered now to state the question in so clear a manner, and to bring forward such evidence on the subject, as would silence all doubts upon it. Now, with respect to that evidence, he begged to observe, that the opinions of a few manufacturers or merchants, however highly respectable, would not be sufficient to create a unanimous opinion on this subject. The noble earl had moved a resolution, after having called on their lordships to make a declaration of their sentiments on this matter; and that, too, even before the evidence which he proposed to adduce could be heard. Now, his objection to the resolution proposed was, that it was not a declaration of their lordships' sentiments. He opposed it on account of its extreme ambiguity. It was a resolution on which no two individuals would be agreed as to its precise meaning. Those who thought that there should be an alteration of the Corn-laws, but that it should be preceded by inquiry; those who thought there should be an alteration without any inquiry; those who thought there should be no alteration, nor any inquiry, this year, but that both inquiry and alteration should be postponed to next year; and those who thought there should be no alteration at all—might, by putting their own construction on the resolution, agree in their vote with the noble earl, by which he might get a majority. The noble earl called on the House to pass a resolution not to consent to any measure for the alteration or suspension of the existing system of Corn-laws. Now, what was the existing system? In the year 1815, there was an absolute prohibition of the importation of foreign corn, until the price of corn in the English markets should amount to 80*s*., when corn was to be admitted free of duty. In 1822, great inconvenience having been felt from that system, it was altered; and it was then determined, that the market price at which corn should be admitted for home consumption should be fixed at 70*s*., but subject to a duty of 17*s*. for the first three months, and 12*s*. for any time afterwards, until the price should amount to 80*s*., when it was proposed the duty should be reduced, but still a graduated rate of duty be continued; but then, in addition to that, this law was not to operate until the market price amounted to 80*s*. The effect of this alteration was, to suspend the permanent law until the price rose as high as 80*s*. If, therefore, he was asked, what was now the system of the Corn-laws? he should answer, that foreign corn might be admitted at a duty when the price had risen to 70*s*. This, however, was not all the ambiguity belonging to the resolution now proposed; for it pledged their lordships not to consent to the admission of any foreign grain for the home consumption. Now that extended to all the corn in bond, which was strictly within the words of the noble earl's resolution. The noble earl, however, had no intention that it should so apply; for he was willing to allow the grain now in bond to be brought into the market, subject to the limitation which had been already proposed; and that grain he was ready to admit without any inquiry. Yet, by so doing, he would not consent to give the manufacturers the impression that the Corn-laws were the cause of the distress. But then, though he was ready to admit the existence of an exigency so far, he would refuse to admit, in terms, the necessity of any infraction of the Corn-laws, though, by allowing the bonded corn to be brought into the market, he did, in fact, agree to an infraction of the law. Yet, though he would do so much, the noble earl had not resolved to proceed a step further, and to admit foreign corn into the country, even under any possible exigency to which it might be reduced. He would ask, whether the noble earl and his supporters had considered what would be the state of the country in the event of a great rise in the price of corn? The noble earl had said, that though the warehouses were not full, the farm-yards were. This might be the fact; but it was also true, that last year the harvest was early and the crops good, and the promise of the crops, too, in the early part of the year was fair, and not like the present time, when the crops were much behind [cries of No, no!]. He was glad to hear he was mistaken; but, supposing the promise of the crops now to be fair, even then it did not follow, that the harvest might be got in as well as last year; and if that was not the case, the price of corn might rise, within six weeks, to such an extent, that any one who thought of the state of the labouring classes must be convinced they could not exist. What was the remedy for such a contingency? Was parliament to be continued, or rather, would parliament determine to sit up to the 14th of August, to contrive a remedy when the evil had arisen? Or would they say, "Let the evil go on, and let the people suffer, without any assistance being afforded them?" He was sure they would not say any such thing. If, then, the measure now proposed by government was not carried, what was to be done? Was parliament to be adjourned, and then re-summoned, without any thing being done for the people in the interval? And if they were re-summoned, was there any one who would say, that such a moment was the most propitious that could be chosen for the discussion of the principle of the Corn-laws? He was convinced there was no one who entertained such a notion; and yet, if parliament should be summoned under such circumstances, they must go into the discussion. There was no one, however opposed to the landed interest, who could fix on a plan that could be more injurious to their interests, nor on a moment when such a discussion could come on so much to their disadvantage. Some persons were of opinion, that the power of the Crown should be exerted in cases of necessity; that corn should be allowed to be imported; and that ministers should then come down to parliament for indemnity. Now, his objection to that course was, that it was no gracious part of the prerogative of the Crown to dispense with the laws; and when it had been exercised, the consequences to ministers had not been such as to induce them to wish to renew the experiment. This prerogative had been exerted in the time of lord Chatham. There was then an appearance of scarcity, and the Crown had directed the ports to be closed against the exportation of corn, and ministers afterwards came to parliament for indemnity. What was the consequence? They were asked, why they had not foreseen the emergency, and obtained from parliament their opinion on the subject. What was the inference from this inquiry? Why, that if ministers had foreseen the emergency, they had acted culpably in allowing parliament to separate, without coming to a decision on the subject. If the present ministers should have the same question put to them when they asked for indemnity, they must answer, that they had foreseen the emergency, and must acknowledge their culpability. But the infraction of the law, by the exertion of the royal prerogative in this case, would be greater than in the former instance. The Crown had at that time only forbidden the exportation of corn, which was then allowed to be exported; whereas, now, they would be allowing the importation of corn, which was, at present, except under certain circumstances, forbidden. But that was not all. The infraction was still greater; for, as they could not admit the corn duty free, they must lay a tax upon it—a tax imposed without the consent of parliament—a tax upon the first necessary of life—and a tax, too, at a time when it was most necessary the subject of the tax should be admitted at as low a price as possible. If ministers did all this, and then came down to parliament and asked for a bill of indemnity, in what manner would parliament receive them? He should not venture to answer the question. The difficulty would be avoided if they would agree to the measure which his noble friend had proposed. He asked for power to be intrusted to ministers—discretionary power. It was said that this power ought to be limited, as their lordships might think necessary. What those limits should be, it was for them to consider; but if they entered on the discussion of the limitation of the amount of duty, they would, in some measure, be giving the opinion of parliament, as to what ought to be the importing price. All these difficulties presented themselves, now that parliament was in actual existence; and yet it was said, that ministers might take on themselves the responsibility of determining all those matters which now caused such serious discussion in parliament, and might afterwards come down to the House and ask for indemnity, as if they were secure of obtaining it, on a subject which that parliament treated as one of the utmost difficulty and delicacy. It appeared, the noble lord had no objection to setting free the bonded corn, but objected to the discretionary power proposed to be vested in the ministers of the Crown, for the introduction, if that should appear necessary, of a certain quantity of foreign corn: but, the real object seemed to be, to get rid of the whole proposition made by his majesty's ministers for the relief of the country. The resolution was very ambiguous, and not calculated, if carried into effect, to produce any benefit to the country. He certainly felt strongly opposed to its adoption, and would, therefore, move, "That the House do now adjourn."

The Marquis of *Salisbury* said, that he had listened with much attention to the arguments of the noble lord who had last addressed the House, and he had hoped that from those arguments some justification might have been derived for the course upon which his majesty's ministers had thought it expedient to enter, and it was with regret that he felt himself bound to say, that no sufficient case had been made out to justify the legislature in vesting in those ministers that discretionary power which it was their object to acquire. There was no man in the House, or out of doors, more willing than he was to place confidence in the present ministers of the Crown; but, he must openly declare, that even were he disposed to admit the principle of their measures, he could not, under the present circumstances, be induced to lend his vote to the support of bills, which were objectionable, both as to the time and the manner of their introduction. It was, he assured the House, with considerable reluctance that he would oppose those with whom he had hitherto acted, in favour of the motion of his noble friend. To one of the measures, that for bringing the bonded corn into the market, he might perhaps have given his support, were it not that such a vote might seem to imply an admission that the Corn-laws ought altogether to be modified, and that the present distresses were in any respect to be attributed to the system upon which those laws were founded. It was with the deepest regret that he saw the noble earl, in whom he had hitherto, and should still, place confidence, lending himself to the unfounded calumny that had been sent abroad, that the Corn-laws were an advantage to the landed interest, at the expense of the manufacturers. He would support the resolution of his noble friend, for he thought that its adoption would afford a fair opportunity for disabusing the public mind of that gross and mischievous error, by permitting the landed proprietors and the agriculturists, to defend themselves from that unfounded imputation. And, further, it would give an opportunity of showing, what he was sure could very easily be shown, that the existing distresses were much more owing to the new principles of free trade, on which it was deemed proper to proceed, than to any operation of the Corn-laws. He thought, likewise, that the House was entitled to some explanation from the noble lord at the head of his majesty's government, which should go to account for the sudden change that had taken place in his sentiments, in the short space of ten days. Previous to this change, it was the opinion of that noble lord, that the question of the Corn laws was one which should, on no account, be meddled with: it was one which, during the present session, should remain completely untouched. Now, it had not appeared, that, when the views of government were stated as to the two bills at present under the consideration of the other branch of the legislature, the noble lord had in the slightest degree alluded to the reasons by which the mighty change in his opinion had been effected. He and his noble friend were willing generally, to repose confidence in his majesty's ministers, but he for himself must frankly declare, that, on the present occasion at least, they must be allowed the privilege of differing from them. It was his full and deliberate conviction, that the quantity of corn now in bond would be found fully sufficient to meet any temporary rise of prices. Whatever were the merits or the demerits of the Corn-laws, he must repeat the opinion heretofore expressed by his majesty's government, that this was not the proper time for agitating the question. It was a question, too, which had best be discussed in a committee: but this, at least, must be admitted with respect to the system, that it was one which afforded a remunerating price to the grower, without creating an unreasonable demand upon the consumer. The session, he thought, was not too far advanced for inquiry, and he trusted that the noble earl would pause before he plunged the country deeper into the mire of free trade; which, he contended, was the real source of that degradation of trade out of which the present distresses arose. It was a question which ought to be set at rest; and he was sure the only mode of accomplishing that, would be by instituting the inquiry which it was the object of his noble friend's resolution to set on foot.

The Earl of *Limerick* said, he felt great difficulty in giving the vote which a sense of duty would compel him to deliver. He had hitherto been a zealous supporter of the administration. Through good report, and through bad report, he had adhered to them; but what he owed to this country, and to the country from which he came, bound him to resist a measure fraught with injury to both, and especially to the latter. It had been said, that there was not time for inquiry. He would ask whose fault was that? It was now but the beginning of May, and he hesitated not to say, that it was the imperious duty of their lordships to remain at their posts, and ascertain whether the cause stated was or was not that to which the present distresses could be attributed, or whether there was any chance of famine prices. The noble lord had been pleased to quarrel with the motion, on the ground of ambiguity. For his part, he protested that never in his life did he read any thing more direct and obvious. He did not object to the introduction of the bonded corn, but he was decidedly averse from vesting in the hands of ministers the great discretionary power which they demanded at the hands of the legislature. This measure, like most others of the same character, could only be justified on the plea of necessity; and he protested that he thought that the case of necessity had been by no means established. The price for the last four months was 58*s.* 6*d.* and had since been rapidly falling. Was it, then, to be said, that with the power of bringing into the market 300,000 quarters of wheat, there existed the slightest danger of corn rising to a famine price? No; the fact was, the warehouses of the manufacturers were full. They thought that the introduction of foreign corn would create a vent for those manufactures, and so relieve the existing distress; but he could assure them that, no sooner would those warehouses be emptied, than they would be filled again by fresh supplies; and then the legislature would be called upon once more to enact the same scene. He would call upon his majesty's ministers to look upon those by whom they were supported, and those by whom they were opposed. Their household troops, as he might call them, in which number he included himself, were voting against them, and his majesty's ministers were found leaguing themselves with his majesty's Opposition. His lordship then proceeded to notice the Report of Mr. Jacob, saying, that in framing it, he was governed by such instructions as indicated the sort of opinions he was expected to give. It was quite impossible, that a Report such as that professed to be, could be formed on so short a visit as six months; more especially as Mr. Jacob omitted some most important corn countries south of Russia and Sicily. The noble lord concluded by declaring, that he thought the projected measures would prove fearfully ruinous to Ireland.

The Earl of *Harewood* said, he considered that the propositions of ministers, respecting the introduction of foreign corn, if carried into effect, would not be prejudicial to the interests of the agriculturists, and would be beneficial to the community. Having said this, he was not prepared to deny, that he had some apprehensions that the bringing forward the question of the Corn-laws at the close of the session would be attended with great inconvenience. He was perfectly satisfied that his majesty's ministers had taken that course which they believed best calculated to obtain the end they had in view; namely, the good of the community. He was sorry that the proposition had been submitted to the House, as any question connected with the Corn-laws, short of a full discussion—which ought not, in his opinion, as he had before said, to be now entered upon—was likely to produce more harm than good. The principle of the two measures proposed by government, he really considered to be the same, and could not conceive how any distinction could be drawn between them. There had gone forth an opinion abroad, which he wished to correct, that the sufferings of the people arose in consequence of a boon given to the agriculturists. Now, he begged to ask what boon they had received? And this boon, it was conceived, ought to be given up; but there was none existing. He did not enter into the subject invidiously. He would contend, that the interest of the agriculturist and the manufacturer was the same, and he should belie his sentiments were he not to state it. In considering this question, it was necessary to examine closely into the real circumstances and condition of the different classes of the community; and in doing so, whatever might be the apparent prosperity, he could not help feeling, that, although large quantities of manufactures were going out of the country, yet the rates at which those commodities were manufactured were quite inadequate to the maintenance of a great portion of those who looked to that source for the means of their subsistence. If any measure could be devised for the relief of the manufacturing community, which would not be at the same time productive of injury to the first and most important interest of the country; namely, the agricultural interests, it would be the duty of parliament to embrace it with eagerness. When he spoke of the landed interest as the first interest of the country, he had in his recollection the injury which had accrued to the other branches of industry at the time of the general depression of agricultural affairs in the years 1816 and 1817. Under all the circumstances, he thought he should consult the dictates of duty and of prudence rather by adopting a proposition which might be the means of doing a vast deal of good, and which if unsuccessful for the intended purposes, was not supposed even by its opponents to be likely to lead to any injurious results, than by rejecting the means of effecting a possible good. He would therefore vote in favour of the measures now proposed by the noble earl.

The Earl of *Roseberry* said, that in the outset of the observations he intended to make, he was anxious to state that he was not, by any means, enamoured of the Corn-laws, but still adhered to the opinion he had expressed on presenting a petition in the last session; namely, that they ought to be revised, and that that revision could have been most advantageously made in the course of that year. He also agreed, that there were circumstances connected with the present session, which rendered it advisable not to enter into the discussion. He therefore had coincided, and still coincided, in the sentiments avowed by ministers in both Houses, although within a few days they had abandoned the very principle they were the first to establish. He did not wish to disparage the opinions of those who considered the existing Corn-laws a faultless system; but, that he might not be deemed a bigotted admirer of it, it was necessary for him to make a few remarks. Of the two propositions of government, he had listened to one, at least with feelings of astonishment and dismay; he alluded particularly to that which gave a discretionary power to admit foreign corn after the prorogation of parliament. He had felt astonishment, not only because the change recommended was not slight and trivial, but because it was in direct opposition to the declarations of the advisers of the Crown, that they would never propose an alteration of the Corn-laws to parliament without an antecedent inquiry.—[Lord Liverpool, across the table, intimated his dissent]. He begged to apologise, if he was mistaken; but he had certainly so understood the noble earl.

The dismay he had felt arose from a persuasion that the measure could afford no substantial relief to the sufferings of the manufacturing classes, while it had a direct tendency to introduce doubt and alarm, if not embarrassment, among the agriculturists—now the only sound and prosperous class in the community. By this course, not only would the distresses of the artisans not be relieved, but increased by depriving them of the best consumers of their manufactures. If the project of ministers had been limited to letting into the home market the corn now in bond, he, for one, should have entirely approved of it, and when the bill for that purpose made its appearance, he should give it his support; not because he believed that it would, in fact, at all materially alleviate the distresses of the manufacturers, but because it would show a degree of sympathy for them, and put a stop to the growth of prejudice. Here he wished to reply to the remark of a noble lord, that the two measures were bottomed upon the same principle. To those who thought that the introduction of foreign grain would afford alleviation, it might seem that the principle of each was the same; but viewing, as he did, the first proposition as a mere indication of parliaentary sympathy, it seemed to him that they rested upon very different grounds. As to the discretionary power required by ministers to pour foreign grain into the country whenever they thought the public exigency demanded it, he must say that it was a measure pregnant with alarming mischief. After what had already passed, he feared that the mischief from asking the power would be almost as great as the mischief from granting it. He had paid much attention to the speech of the only member of government who had yet favoured the House; but nevertheless, he had yet to learn the peculiar reasons which called for these measures now, although not wanted on former occasions. If the prices of wheat were to be considered the test, ministers were more entitled to ask for this power in the last year than in the present; inasmuch as wheat was 7*s.* per quarter dearer than now. He believed that it was the first instance in which a government had asked (he hoped he should not have to say obtained) such a power, without the allegation of any thing like a ground. Instead of soothing, it would irritate and excite alarm that would otherwise never be felt. Was it not likely to produce the most serious terror, when the ministers were the first to raise the expectation of what the noble earl opposite had repeatedly called a famine price? It was, therefore, material for the House to reflect, whether it would act prudently in giving its sanction to such a fearful motion. It was called upon without inquiry, without a knowledge of the information ministers possessed, without a single document of importance upon the table, to invest ministers with what they themselves confessed to be a novel, extraordinary, and most delicate power. The noble earl at the head of the Treasury had stated, and repeated only a few days ago, that the present Corn-laws had nothing to do with the melancholy condition of the manufacturing districts. Taking prices as some indication whether the Corn-laws were connected with the distresses, and knowing that prices would not warrant this strange concession, the House, he thought, must arrive at the conviction, that ministers required it with a view, in some way or other, yet unexplained, to alleviate prevailing distresses. If so, they seemed to be in this dilemma; either their declarations, that the distresses were not occasioned by the Corn-laws, were false and groundless, or if they were occasioned by them, their measures would be fruitless and ineffectual. That the Corn-laws, had no influence of the kind was quite evident, because if, by the introduction of foreign grain, the price were lowered to an extent ruinous to the agricultural interests, the manufacturers could not be relieved by it. They were not suffering from the dearness of bread, but want of employment. If wheat were lowered to 38*s.* per quarter, did any man suppose that the suffering artisans would be benefitted? The sister kingdom had afforded a parallel instance, within the last two or three years. The lower orders in Ireland had been reduced to the last stage of distress, until relieved by the bountiful and simultaneous contributions of Great Britain; and had not the House been told, that the greatest aggravation of their misery was, that they were starving in the midst of plenty. The distresses of the manufacturing classes at this moment arose, in a great degree, if not entirely, from the same causes. They were starving, not because there was no food to be bought, but because they had no means of buying it. Of course he felt the utmost desire to relieve; and, if he were persuaded that either scheme would be effectual for that purpose, he would support it. The noble earl at the head of the colonial department had not fairly described the motion of the noble earl. It had no ambiguity, but in plain and intelligible terms called upon parliament, if ministers were determined to force this measure upon them, to engage in a previous inquiry as to its necessity. He objected to this proceeding also on another ground; namely, that it tended to lower the landowners and landholders in the estimation of the people at large. For moral and political reasons, independent of their wealth, if not the most important, they formed one of the most important bodies in the community. He did not charge ministers with producing this effect intentionally; but certainly their measures tended to perpetuate the notion, that the proprietors of the soil were disposed to consult only their own advantage. He should be sorry to see such a notion encouraged by the assertion of any body; but much more upon the authority of ministers. He could not conclude without repeating, that he was no favourer of the Corn-laws. He was anxious that they should be revised—desirous that they should be altered. He was not, indeed, prepared to say what the alteration should be, because he had not yet duly inquired; but he would go a step further and avow, that he thought that alteration inevitable. He was anxious, therefore, that even those who thought the present Corn-laws the best that could be devised, should make up their minds to the change, and instead of endeavouring to avert it, to consider the means of placing the alteration, whatever it might be, upon the most safe, satisfactory, and permanent footing.

The Earl of *Aberdeen* said, he was disposed, upon all occasions, to give real and effectual protection to the agricultural interests. He would almost view it with especial favour; for, notwithstanding the sneers and jests which were cast upon it, both in and out of parliament, he would assert that upon it was founded the constitutional government of this country. He had yet to learn why it was now to be viewed with less partiality; and why the valuable and industrious yeomanry and peasantry of England were to be disregarded? Hence he would not assist in the progress of any measure calculated to injure them, and agreed with his noble relative on the cross-bench, that no injury could fairly be apprehended from the measures under discussion. The agitation of the question in any shape was, perhaps, to be lamented; but when he heard his noble friend at the head of the government taunted with inconsistency, he must say, he did not think that the propositions before the House embraced any consideration of the footing on which the Corn-laws were ultimately and permanently to remain. It was singular that the noble lords who brought the charge of inconsistency should themselves recommend an inquiry into the whole system, as the alternative, before the House adopted the present, or any similar measure. The more so, because only in the last year a bill, with the like object in view, had been agreed to without opposition. The noble lord who talked of inconsistency were themselves ready to agree to the introduction of bonded grain; but resisted the concession of the discretionary power: they concurred in the absolute infraction of a positive law, but refused to grant a contingent power. For his part, he was ready to allow it not only to the present, but to any ministers; and he was not sure that it would not be a wise and salutary provision to invest every administration with such conditional authority. Passion and prejudice must prevail on questions of this kind; and where could the power be lodged more safely, than in the hands of those who, from their stations, were bound to view with equal eyes all classes of the state? Their ultimate interests, no doubt, were the same. A steady demand and a regular price were for the real benefit of both buyer and seller; but, in the first instance, this principle was always forgotten, and they were constantly at variance. He certainly did not anticipate any very substantial relief to the manufacturers from these propositions. The noble earl at the head of the government did not himself anticipate it; but it was scarcely less than absurd for the noble earl who spoke last to contend, that it was the same thing to the artisan whether wheat were at 60*s.* or 38*s.* per quarter. The cheapness of bread must at all times be important to the labouring classes. Besides, the noble earl seemed to forget the extended chain between the highest and the lowest members of the community, and that what benefitted the one must also, in its degree, be advantageous to the other. It was the duty of ministers to inform themselves, by certain preliminary inquiries, before they brought forward a measure of this kind. If they felt it possible that the state of the country might require its exercise they would have been inexcusable if they had not come to parliament for the discretionary power they now sought. They did not declare absolutely that it would be necessary for them to resort to it; but if the quantity of bonded corn were insufficient, and if the harvest, by any accident, were deficient, it might be fit that, being so armed, they should make use of the means placed in their hands. They had seen enough of the spirit prevailing, not in parliament merely, but throughout the country, to render them extremely careful in the discharge of their duty; or at least, by a wanton employment of their power, not to risk national disapprobation. Another consideration was not unworthy of attention. Those who thought that measures of this kind would not affect, or at least not materially injure, the agricultural interest, were bound to make some sacrifices to the feelings and prejudices of those who undoubtedly looked forward with great anxiety. He believed that the House of Lords possessed, and justly possessed, as much of the love and confidence of the country as the more popular branch of the legislature. By the permanency of the seats their lordships held, they perhaps paid less attention to the passing clamours and wishes of the people; but, at the same time, it was the duty of the House to pay regard, in a case like this, to the strong feeling existing out of doors, and to shew sympathy for the sufferings of those who calculated upon a far greater degree of relief than the measure was likely to afford. He would be one of the last to yield to clamour, or to recommend the House to be intimidated into an improper concession; but, in this instance, little or nothing in fact was given, while their lordships would free themselves from the odium which many were desirous of throwing upon that House. If, after all, a real scarcity were to occur, ministers would act upon their responsibility, and might introduce a still further quantity beyond what was at present bonded in the warehouses. Regretting the necessity for these propositions; lamenting, too, the injurious consequences which even the present discussion might have; he thought that the House could, and ought, to keep this question distinct from the revision of the Corn-laws. He considered that he was by no means prejudging that great subject, and was convinced that, for the sake of the country at large, it was necessary to afford to the agricultural interest permanent and efficient protection. It was, however, both odious and unnecessary to resist measures that might be useful to a certain degree, could do little or no injury, and would be welcomed with gratitude by a large body who were at present suffering the severest deprivations.

The Earl of *Roseberry* explained. He meant to state, that the distresses of the manufacturing districts arose out of a total deficiency of means to purchase food.

Lord *Ellenborough* said, he thought the arguments of the noble earl who had just addressed their lordships somewhat singular. The noble earl called upon them to make a concession to prejudice; and he would be ready to yield him the concession he demanded, if the noble earl could only show him one instance in which concession had had the effect of weakening, or had not had the effect of strengthening, prejudice. But, what was the course by which the noble earl arrived at that recommendation? He, first of all, supposed a case of necessity which did not, in fact, exist. Then he demanded a concession to prejudice, which, he admitted, would carry no relief with it; and upon such grounds required, that their lordships should grant a dispensing power to government, which upon a subject connected with the price of food, ought to be intrusted to no man. When a motion was opposed, it was usual for the opposer to endeavour to shew that nobody could accede to it; but the course taken by the noble earl was widely different, for he struggled to prove, that it was impossible for any man to found an objection to the motion. Another complaint was, that the terms of the motion were ambiguous; but to him it seemed that the terms were most simple and intelligible. The meaning of it was merely this—that, four years ago, after patient inquiry, a law had been passed regarding the importation of grain; that the House was now required to alter that law without inquiry; and that it was fit that a previous investigation should be instituted. With whom, he would ask, did the existing Corn-law originate? With the noble earl opposite and his colleagues, and if the noble earl was, as he professed, unable to explain that law, who was competent to do it? The law of 1815 was the work of ministers, and the present chancellor of the Exchequer had proposed it. The law of 1822 was theirs also; and it was a little too much to listen quietly to the declamation of the noble earl against the very measure of which he was the author. The House and the country were told, that there was great apprehension of a famine. It was singular that any noble lord, much less a noble lord opposite, forming one of an administration accustomed to public affairs from their boyhood, should be the first to set up the cry of a famine price; which was scarcely less terrifying than the cry of fire in a crowded theatre. He could see no reason for these gloomy apprehensions: if the last harvest had been short—if the approaching harvest were deficient—or if the supplies from Ireland had not increased, there might be some ground for them; at present, however, the fatal anticipations of the noble earl seemed derived from no better authority than the "Vox Stellarum," or the infallible predictions of the renowned Moore. When ministers last year had proposed an alteration of the law relating to bonded corn, he had supported the measure; but he was surprised that any noble lord should think that a vote in favour of that bill, at all governed a vote upon the present question. For himself, he never would consent to place the granaries of our national food in the hands of those who were jealous of our national greatness. The very manner in which the present measures were brought forward, were of a nature to cause opposition to them. But, there were other and stronger grounds upon which he meant to oppose them. After the solemn pledge given by his majesty's ministers, that the Corn-laws were not to be meddled with this year, it was too much to introduce such measures as those which had been agitated in another place. He should ever object to a course of proceeding which might be considered in no other light than as a premium to insurrection. He considered those measures as a great injustice to the agricultural interest. The agriculturists had suffered long and severely, and were now but slowly recovering from the depression under which they laboured; and it was too bad that ministers should throw upon them the whole burthen of relief to be afforded to the distressed manufacturers. When he recollected the calumnies which had been heaped upon the agriculturists—when he called to mind the unfair, the disgraceful manner, in which they had been spoken of, he could not help feeling that it was too bad to add injustice to injury. He had every confidence in the noble earl, and would freely trust to his management and direction any measure which had for its object the relief of the country; but looking to the measures which had been introduced in 1815 and 1822, he could not help thinking that those measures did not originate with that noble lord; nor should he be led to think otherwise, unless it was so declared to him by the noble lord himself. Besides, their lordships should consider, that, if they adopted those measures, they were not confiding them to the management of the noble earl, but to those who acted with him—and, not only to them, but to such other persons as might afterwards fill their situations; for it was clear that such a power, if granted now, could not be refused upon any similar occasion which might arise in future. He would never consent to give a previous indemnity for an intended alteration of the law. He called upon their lordships to consider the varying price of corn, and the difficulty, he should say the impossibility, of fixing a steady, undeviating price for that article: and then to reflect that they were called upon to give up the regulating price of that article to the varying opinions of varying individuals. If their lordships granted this power to the noble earl and his colleagues, they must be prepared to grant it to their successors, whoever they might happen to be. If they did grant it, then there was at once an end to all money contracts; and his majesty's ministers would have, in effect, the power of making what was called an equitable adjustment of all contracts entered into. He hoped the noble lord's motion for an inquiry would pass, as he was fearful of taking a single step in such a matter without previous inquiry. By such a course only would they be in a condition to legislate for the advantage of the country.

The Earl of *Westmoreland* opposed the motion. He defended ministers from the charge of inconsistency brought against them upon this question. The indisposition to alter the Corn-laws, or in any way meddle with them, had attached solely to the circumstances of the country at the time in which that opinion had been broached. It did not follow from the propositions now made by his majesty's ministers, that they thought the Corn-laws bad in themselves, any more than it followed that those who sometimes voted for the suspension of the Habeas Corpus act thought that law a bad one. This proposition was brought forward under peculiar circumstances, when distress prevailed in many parts of the country. In such a state of things, and at a time when the price of corn was advancing, ministers would not have done their duty if they had not come down to parliament, and asked, to be intrusted with these powers. He was much surprised at the arguments made use of by some noble lords on this occasion. They were told that there was no prospect of dearth; and that, even though there were that prospect, ministers should take the whole responsibility on themselves, without coming to parliament. The distress that prevailed, connected even with the present price of corn, was in itself sufficiently alarming. It should be recollected, that if, on the 15th of August next, the price was under 80*s*., not a grain of corn could be imported till the 15th of November following; so that, if ministers were not intrusted with this power, the ports might continue shut for four months, though the country was suffering under the greatest distress. Whatever might be the price in May, no conclusion could be drawn from that as to what the price would be in November. It had occurred more than once within the last twenty years, that, from a price of 60*s*. or 70*s*. in May, corn was up at 100*s*. or 110*s*. in the December following. Would ministers have done their duty if they had not taken some step calculated to prevent such a state of things. When noble lords advised his majesty's government to act upon their own responsibility, they referred to what had taken place in the year 1766. It was true that the ministry of that year, acting upon their own responsibility, did lay an embargo upon the exportation of corn, under circumstances which certainly justified the act; but, he begged leave to ask noble lords, did parliament pass over such conduct without observation? No such thing. Ministers were then told that the king's prerogative of dispensing with the laws was a dangerous one; that the king, in fact, had no such prerogative, that it was an act of power which the salus populi justified; but then those ministers were told, that such distress as then existed could not come unawares upon a cautious ministry—that the indications of that distress had been plain enough, long before the dissolution of parliament, and that it was the duty of ministers, under such circumstances, to come down to parliament, and ask for powers to enable them to meet such a state of things. The step recommended by the parliament of that period was the very step taken by his majesty's ministers of the present day; and, in taking that step, his majesty's ministers believed that they were acting constitutionally, and upon principles which would meet the approbation of parliament. The power asked for by his majesty's government was a discretionary power; and for the exercise of their discretion, they would be as responsible to parliament as if they were to act upon their own responsibility. To suppose that his majesty's government would, for the purpose of carrying a particular object, exercise the power granted by parliament, would be to suppose that they would act in a way in which no men, composing the ministry of this country, would venture to act. If the power asked for by his majesty's government should be granted by parliament, they would be bound not to exercise it, except under such very pressing circumstances as would justify the exercise of such power; and he trusted, if it should be granted, that his majesty's government would exercise it in such a manner as to meet the approbation of their lordships.

Earl *Grosvenor*, in giving his vote for the motion of the noble earl, said, he thought it necessary to state, that although he had acquiesced in the measure for letting out the bonded corn, he did not think himself bound to acquiesce in the second measure, for allowing the importation of five-hundred thousand quarters of foreign grain. He begged to call the attention of their lordships, and particularly such of their lordships as were in the habit of supporting the measures of ministers, to the vacillation of government upon this and other questions. The measures proposed by his majesty's government were justified by the distress which existed in the country. Now, he asked their lordships were they not aware of the existence of that distress long before it manifested itself in acts amounting almost to insurrection? His majesty's ministers were bound to know of the existence of that distress; and he could not believe that they were not aware of it. When a noble marquis suggested the propriety of granting a sum of public money for the relief of the distress, the noble earl had then said, that the precedent would be a bad one. He agreed with him, that, under ordinary circumstances, such a precedent would be bad, but he must say that he thought the distress had at that time reached such a height, as would justify the application of public money in the way suggested. However, the noble earl was of a different opinion; and to his surprise in a few days afterwards, submitted a motion to their lordships for letting the foreign corn out of bond. He was ready to admit, that the measures submitted by his majesty's government did not formally affect the general question of the Corn-laws; but what he complained of was, that they affected the question in the minds of the country at large. He objected to the second measure, because he was satisfied there was not a landed proprietor in the country who did not believe, that whatever duty might be fixed upon by ministers, with respect to the admission of foreign corn this year, would be taken as a standard duty upon every future discussion. He objected to the measure, because the quantity proposed to be imported into this country was limited. If corn should rise to the price anticipated by ministers, nothing could be more unfortunate than the limitation; because, if distress, occasioned by an increased price of corn, should arise, nothing could relieve it but an unlimited importation. He did not at any time feel disposed to place confidence in his majesty's ministers; and that disposition was much lessened by their conduct on this and the currency question. Nothing could be more vacillating than their conduct, and he called upon those noble lords who had hitherto placed confidence in ministers, to withdraw that confidence. He admitted that the average price fixed by the present Corn-laws was too high, but it was not then necessary for him to discuss the subject. If the price of corn should rise to the height anticipated by ministers, then he would say that they would be justified in opening the ports upon their own responsibility. A noble earl opposite, in justifying the motion, had called the attention of their lordships to what had occurred in the year 1766. The opposition of lord Mansfield, upon that occasion, was founded, not upon the impropriety of the measures adopted by the government of that day, but upon their neglect in bringing in a bill of indemnity immediately after the meeting of parliament. Such opposition he could not anticipate during the next session, because he could not imagine that his majesty's ministers would act in so unconstitutional a manner, as to omit bringing in a bill of indemnity, in case circumstances should call upon them to act upon their own responsibility. He also objected to the period at which those measures had been introduced. He was satisfied if they had been submitted at an earlier period of the session, the country gentlemen in the House of Commons would have risen as one man, and said to ministers, "You must reduce your expenditure; you must reduce taxation; you must do as you ought to have done ten years ago—you must economize to the quick." When he saw how ministers had altered their opinions upon the Scotch and Irish currency, he saw no reason to apprehend that they would not alter their opinion upon the proposed measure, if they were to consent to the motion now before their lordships; a motion which might lead to good, but could not by possibility be productive of any bad effects.

Lord *Falmouth* said, he regretted that the motion had been made at the present moment, because he thought that, if acceded to, it would lead to further inquiry than was at present desirable. He felt himself bound to oppose it, because he thought it a much lesser evil to grant the power asked for by ministers, even if he anticipated that they would exercise it in a way different from that in which he believed it would be exercised, than to accede to the motion of the noble lord, and go into an inquiry, which must necessarily have the effect of increasing the existing ferment.

The Earl of *Darnley* said, that if ministers had been actuated by that degree of foresight and forethought which was necessary to conduct the affairs of a great empire, they would not stand in their present predicament. If, two or three weeks ago, when they might have foreseen the existing state of things, and when the noble earl opposite told the House, that he had no intention to meddle directly or indirectly with the Corn-laws this session

—nay, when he had gone so far as to declare, that he had no intention to let out the bonded corn,—if they had then brought forward their present measure it would have been proper, and it should have had his support. The noble marquis near him had proposed a grant of money for the relief of the distressed population; but the noble earl got up in his place, and said, "No, I will not consent to that, but I will alter the Corn-laws, which, two or three weeks ago, I declared I would not meddle with." The noble earl said, that the Corn-laws had nothing to do with the distress of the country; but in his opinion, and in the opinion of most persons, those laws had a great deal to do with them. It was stated, that the notion of the Corn-laws being the occasion of the distress of the country, might do mischief; but, in his opinion, the contrary notion would do more. He regretted the manner in which this subject had been brought forward; and, much as he regretted the principle of the measure, yet, with the possibility of corn reaching a famine price, and the chance of a starving population, he could not bring his mind to reject the proposition of ministers. With respect to the Corn-laws themselves, he had been a friend to their introduction, he had strenuously advocated them, and he thought they had operated much benefit. They had been of service to the agricultural interest, and the manufacturing interest had no reason to complain. But what might be good in 1815, was not therefore good in 1826; circumstances had totally changed. Whatever might be said of the opinion of parliament, the opinion of the country was to be regarded; and that opinion was decidedly against those laws. One principal reason which induced him not to agree to the proposition of his noble friend was, that it would open the whole question of the Corn-laws; and he would ask their lordships, whether it was practicable to arrive at a result during the session? He did not pledge himself to support the measures of ministers; but he thought the discretion they asked for would not be abused, and on that principle he was disposed to concede it to them. Not that he thought the conduct of ministers deserved confidence; on the contrary, he considered that they had acted in a manner which was highly to be censured.

Lord *King*, with reference to the mischief which it had been said opinions expressed in that House were calculated to create, remarked, that the law was the source of mischief. The noble earl opposite might do his worst, and he himself might do his worst; but no mischief would be the consequence; it was the law itself, the existing Corn-laws, that produced the mischief. The present measure was a very convenient way of getting rid of those laws indirectly; it was a dexterous mode of catching the simple politicians on the opposition side of the House; though, he confessed, it argued some weakness to be so caught. In the face of the measure now introduced, the noble earl opposite still persisted, that there was to be no alteration of the Corn-laws. How this measure would be received on the ministerial side of the House, he could not tell, but he believed this Treasury measure had not been received so cordially on that side as was expected. He did not wish to detract from the merit of the noble lords opposite. He believed the members of his majesty's cabinet were possessed of great experience, and understood pretty well the nature and constitution of noble lords. Still, however, he thought that, as a skilful practitioner, who understood the constitution of his patient, when he altered his diet, would furnish something like a reason for it; so his majesty's ministers ought to satisfy their patients, as to the change they made in their treatment. The noble earl who opened the debate that evening wished for an inquiry; but an inquiry would last for a year. The House knew enough of inquiries from one which had taken place elsewhere. And who were the persons who stood up for inquiry?—the friends of the Corn-laws. He thought that, after the changes which had taken place during eleven years, after the alteration in the currency, and other material changes, it was mere drivelling to say that the Corn-laws required no change. Eleven years was about the average duration of a Chancery suit. He believed there had been a kind of amicable Chancery suit on this question between the Chancery and the Treasury; and the noble Secretary for the colonies—certainly not the most liberal part of the cabinet—had been put forward in defence of the present measure. The freedom of the corn trade was necessary to the prosperity of our manufactures. Every quarter of corn imported from abroad purchased

British manufactures of equal value. Unless foreign corn was admitted into this country our own commodities could not be purchased by foreigners. The real question was, whether a check was to be imposed upon the introduction of raw produce into the country. At present, corn was one third dearer here than it was on the continent; but, if it were three times dearer, then the Corn-laws would appear monstrous. The question was, therefore, one only of degree. There was no period during which the country was in a state of greater prosperity, both commercial and agricultural, than one which was a time of unrestricted importation of corn, from 1782 to 1792. When he looked for the causes of the present distress, he would say they were the Corn-laws. All writers agreed that when raw produce was high, wages would be high, profits low, and the rate of interest low. If that were the case, he was right in attributing the present distress to the Corn-laws. As a friend, therefore, to the alteration of those laws, he would resist the noble earl's motion, because he could have the conclusion he wished for come to a year sooner. As to consistency, he was not concerned about others, but he did not wish for a famine price, even at the loss of that precious consistency. But it was asked, why was there now any danger of a famine price, since corn was lower this year than it was during the last? But, compare it with the relative prices of other articles in the last year, and it would be found, in fact, much higher. He thought there could be no chance of a steady system, without an alteration in the Corn-laws, and he would, therefore, oppose the original motion.

The Earl of *Carnarvon* said, he considered the whole policy of ministers upon the present question to have been vacillating, ambiguous, and unintelligible. It was but a few days since they had declared distinctly, that they did not propose to go into the subject of the Corn-laws during the present session; and he must deny that any change had taken place in the agricultural prospects of the country, which justified a departure from that intention. As for the "possibility" of failing crops, to which they adverted, when was it that such possibility would not be capable of being made an argument? The true secret of the change in the opinions of ministers—and they might as well speak openly and say so—was the partial tumults which had taken place in the country; and, though no one could be disposed to feel more for the distresses of the unemployed manufacturers than he did, yet it would be just as reasonable to try to alleviate that distress by breaking the power-looms, as by making alterations in the Corn-laws. Ministers did not act openly, in refusing to connect that with their motion which was known to be connected with their motives; and, what was still more, they were taking a course which could afford the distressed parties no relief. It was said by some, that if this measure would not relieve the manufacturers, it would at least conciliate them,—that it would remove a load of public odium from the shoulders of the agriculturists. What was this but to say that it was a popular humbug? For himself, he desired to purchase no such popularity. If the measure now proposed was carried, the effect would be to throw the whole country into confusion. The value of all property, would be in the hands of ministers. No transfer could take place. What surveyor would venture to value—what farmer to take a lease—or what landlord could grant one under such a system? He could never give his assent to such a measure as that contemplated by the noble earl at the head of the government; because if a discretionary power of admitting, during the whole of the recess, a quantity of corn into the country, were given to ministers, there would be a constant fluctuation in the markets, and a total destruction of confidence. He would not therefore give his vote for disturbing the present system of the Corn-laws in any way, without a full and fair inquiry.

Lord *Dudley and Ward* said, that if he were governed by the dislike which he felt to the Corn-laws, he should certainly oppose the measure brought forward by ministers; because he was quite sure that it was only by the aid of occasional alterations, that those laws could possibly continue to exist. It would be well for noble lords, however, to consider in what condition government would be left by a refusal of the power which it now demanded. It would be a very different state of things, the not having provided such a power, and the having asked for it and been refused it. Suppose the most serious scarcity, and consequent distress, to arise in the country. All that ministers could say would be, that parliament had refused to interfere, and that they themselves could not presume to do it. Government would stand in this curious predicament,—it might call out the troops, proclaim martial law, and fire upon the populace, or leave them to die of starvation; but it must not take the very course which would at once put an end to the danger and to the difficulty, it must not let in corn to save a starving, and perhaps insurgent, people. In such circumstances, he trusted that the salus populi would always be superior to every other consideration. He hoped that, should such pressure arise, ministers would spurn all barriers, and do, at all hazards, that which seemed to them to be for the benefit of the country. But he would ask the House this—must not ministers be disposed to hold out longer than they would otherwise have done, to let the mischief go further before they ventured to apply the remedy to it—under the circumstances of having consulted parliament, and been met with a negative,—than they would have been, if no such application had been made? For the sake of the cause which the agriculturists themselves supported, he hoped that parliament would run no such dangerous risk. Ill as he thought of the Corn-laws, he did not wish to see them swept away on the sudden. He believed that, if such a course were pursued, the public mind would not be sufficiently tranquil to allow that to be done which was necessary to the safety of the agricultural interest. He would therefore give his vote against the motion of the noble earl.

The Earl of *Mansfield* said, that the rejection of his noble friend's motion would propagate that delusion which good sense must disclaim. It had been said, that some persons objected to the first proposition of ministers, while others only objected to the second. For his part, he had no scruple in saying that he objected to both. There ought to be no alteration in the principle of the law, without a previous inquiry, and it should be proved that those measures were either not an innovation, or that they were justified by necessity; because the British grower was protected by the law until there was scarcity at home. With reference to the declaration made by ministers of their intention to alter the law, he would ask, did the price of corn cause the distress? Numerous other causes were assigned; amongst them were over-trading and excessive speculations, but corn was not. If so, there was no necessity for an alteration upon that score. If the admission of the bonded corn could give relief, he would be disposed to entertain that proposition; but it was admitted, that the quantity of corn now in bond would have little effect on the prices, and if so, what benefit could it afford the distressed districts, where great want of money prevailed? That, perhaps, might be a cause. Perhaps the farmers might not choose to send to a market where they could not be paid. He had read in a paper of the day, an anecdote relative to Stockport, where there was great want of potatoes, because the farmers did not send any there. Besides, the duty on bonded corn ought not to be taken as revenue; but was in fairness due to the agriculturists who were injured by its introduction. Again, as to the discretionary power to be intrusted to ministers, he would ask where was the necessity for it? Ministers might have had information, which caused the change in their measures; but that information should be given to their lordships. He had no wish for an interminable inquiry, but such a one as would satisfy reasonable persons. He was happy to hear the constitutional doctrine laid down, of the ministers not being willing to take any thing upon themselves without the sanction of parliament, but he thought the system should not be disturbed; seeing that he considered a fixed system, even though a defective one, to be preferable to constant change.

The Earl of *Liverpool* said, that he felt naturally anxious to seize the opportunity of offering to the House his opinion on this question, and he could not take a better opportunity, nor one more agreeable to himself, than immediately after his noble friend who had last spoken. If his noble friend meant to say, that he (lord Liverpool) thought that the Corn-bill, passed in the year 1815, was not applicable to the present times, he acknowledged that his noble friend was perfectly right. If his noble friend said, that he thought that the Corn-bill of 1822 was not applicable to the present year, and that it ought to be altered, he was right in that also. That was the very nature of such a question as this. It must be always variable; and their lordships should adapt the system to the circumstances of the times. In the year 1815 their lordships adapted the Corn-laws to the circumstances of the times, by fixing the average price of wheat at 80*s.* per quarter, before importation of foreign wheat was to be permitted. If, however, it was true, as indeed it was, that a sum, amounting to twenty-seven millions of taxes had been taken off since 1815—if those taxes consisted of the tax on salt, on leather, on agricultural horses, &c. all which taxes bore directly on the agricultural classes, he would ask, if there was any noble lord in that House, who, after due consideration, would not admit that a price of 60*s.* per quarter now, was not equal to 80*s.* per quarter in 1815? Then, no noble lord would venture to say, that the circumstances of the country in 1815, could be compared with those of 1826, or that the Corn-laws of the former period were applicable to the latter. He had more than once before declared and he would then repeat it—that the measures under consideration at present in the other House of Parliament, had nothing at all to do with the general question of the Corn-laws. He was not without having formed his opinion of the present Corn-laws; but whatever that opinion was, it was not necessary then to state it. Whatever it was, it had no relation to the present question before the other House. He believed that those bills in the other House, so far from being an innovation on the present system of Corn-laws, would be, in reality, a security to the agricultural interests. Very early in this session, it would be remembered by noble lords, that he most sincerely, most frankly, and most honestly, he must be allowed to add, said, that the present session was not such a time as would be proper for making any change in the Corn-laws. He only then said what he would repeat now. Whether the measures under the consideration of the other House were right or wrong, he would ask their lordships, whether the present was a proper session, or this the proper period of the session, to enter into the consideration of the general question of the Corn-laws? He entreated their lordships to allow those measures, to which allusion was so often made, to stand or fall on their own merits, and not to prejudge them. Their lordships ought first to learn what the import of them was, and then enter into a dispassionate consideration of them. The noble lord who moved this question put their lordships on their guard, and stated that, when those measures came up from the other House, their lordships must take them as they came, and either approve or reject them; seeing that they could not make any alteration in them. But the noble lord was mistaken, in saying that their lordships could not make any alteration in those measures; for every part of them could be altered except the duty, whatever that would be fixed at by the other House. But, he would call their lordships' attention to the true grounds of those measures. He contended, that there was no change of opinion upon his part. His opinion on the Corn-laws generally was precisely the same as at the opening of the session. He however freely admitted, that circumstances had occurred, which did not exist nor were contemplated, when he made the statement alluded to. Those circumstances were such as to render special and temporary measures necessary; namely, the distresses of the manufacturers. He did not mean the partial insurrections, and the destruction of power-looms, which were as foolish as they were unwarrantable, but the sufferings endured in Lancashire, Warwickshire, Derbyshire, and other districts. The poor sufferers had, with few exceptions, conducted themselves in a most exemplary manner on this trying occasion, and had submitted peaceably to the laws of their country. The distress had certainly increased much beyond the expectations of government, and even beyond that of the manufacturers themselves; for when the deputations from the country applied for assistance from government in the beginning of the year, they gave it as their opinion, that if they could get over two or three months, every thing would go on well; that trade would revive, and the distress would be completely at an end. When a season of calamity unexpectedly came upon us, it was a question very often asked—"Why did you not do yesterday what you propose to do to-day?" Indeed, it was a matter of no little difficulty to know precisely how to act on such occasions.—But to revert to the present case. The distress arrived at such a height, and assumed such a serious appearance, that it became at last imperatively incumbent on the government to see if some specific remedy could not be devised for its alleviation; or at any rate if something could not be done to prevent its spreading wider. He particularly wished that he should not be misunderstood, or that it should be supposed that he thought the high price of corn was the origin of or had any thing to do with, the present distress. He had never said, or even imagined, that such was the case. He considered that the present calamities had arisen from overtrading, and an abuse of the prosperity which the country had lately enjoyed. This was, no doubt, the main source of the evil. At the same time it would be equally absurd to say, that the high price of provisions was no aggravation of the evil; but he wished their lordships to examine into the grounds which called for the adoption of the present measures. Every one who had at all examined into this matter must have ascertained, that this country grew scarcely sufficient corn for its own consumption. There certainly were shades of difference in the opinion of individuals on this point; but it was admitted by all, that England, Scotland, and Ireland, grew very little more corn than what they could consume themselves, even when there was a prosperous crop and a favourable harvest. If such, then, were the case, what would be likely to be the situation of the country, if there should happen to be an unfavourable harvest? He wished this question to be considered quite as much with a view to the agricultural interests as to the manufacturing, or to the interests of any other class of the community. There were two periods at which great injury might be sustained by the corn—one when the wheat was in the flower, another when it was nearly ripe. We were not without a sad experience on this subject. If the accounts of the various harvests for a period of thirty two years, commencing in the year 1790, and ending in that of 1822, were examined into, it would be found, that there had been eleven very defective harvests. There was no trusting to first appearances or fair prospects in this matter. A single week, nay, a single day might blast the fairest hopes, and turn an apparent abundance into a most terrible scarcity. As a proof of the accuracy of his statement, he would call to their lordships' recollection the situation of the country at the end of June, in the year 1816. At no period could the prospects of the harvest be brighter; and yet, before the end of June, those prospects had entirely failed: they were destroyed in the course of a single day. That day, he recollected well, and all the melancholy consequences which followed from it. The price of corn, then at 52*s.* the quarter, rose quickly to 100*s.* and 110*s.* Their lordships would readily conceive what a disastrous effect such a circumstance, and such a fluctuation in prices, must have caused in the country; but, if such a calamity were to occur now, in the existing state of the country, what terrible consequences might be apprehended! In the first place, the ports could not be opened until the 14th of August; and even then, if the averages should happen to be against us, we should have to wait three months longer, until the 14th of November. This was the case in 1816. There was no evil which would bear any comparison with this: it operated as a most enormous tax upon the community, and especially upon the lower orders of it. But perhaps it would be said, this evil might not happen; and why should not this power be required any other year as well as the present one? He would make no scruple in saying, that he did consider it a defect, and a very great one, in the present system, that it should require such a power to be lodged any where at any time, in order to correct the evils which might otherwise arise from it; but he conceived this power was peculiarly called for under the existing circumstances of the country. If this scarcity should come in times of prosperity, it might be tolerated; but when great distress prevailed amongst the manufacturing population, the case was widely different. Would, then, their lordships, with the present state of the country before their eyes, refuse this power to government? Whatever might be their opinion as to the propriety of granting it for another year, except as to the general defects of the system, he trusted they would see the necessity of conceding it at present. He felt persuaded that their lordships would not think it right that no provision should be made by parliament to enable government to interfere, if it should so happen that corn, as it had done at a former period, rose to 100*s.* or 110*s.* per quarter; and that, although, under other circumstances, their lordships might feel averse to conceding this power, they would not object to grant it, when they took into consideration the present condition of the country.—From what he had said, he thought he had sufficiently shown, that it was no argument at all against this measure, to say that this scarcity might happen any year. His noble friend had said, where is the proof of the necessity for this measure? He had already stated his case, and he thought he had sufficiently made out the necessity. He would leave it to their lordships whether they were willing to run the risk, and place the country in the situation in which it would be placed, if a bad harvest should occur, and ministers should not have the power to remedy the evils which would be occasioned thereby. It had been urged against this measure, that the poor manufacturers were in want of work, not in want of bread. He was ready to admit, and with sorrow he said it, that many of them were without work; but still many more who had work were obliged to work at the lowest possible wages. Several, who a short time ago could make from 18*s.* to 20*s*, per week, were now reduced to work at from 7*s.* to 6*s.* or even 5*s.* per week. Was it no consideration to persons in this unhappy situation, whether they paid a little more or a little less for the quartern loaf? He trusted he had, by showing what the situation of the country might be, and indeed what it actually was at present, convinced their lordships, that this measure was not uncalled for, or ministers desired to have any power intrusted to them which might not be absolutely necessary for the safety of the country. But it had been said, that this was calculated to injure the agricultural interests. If corn were to rise to 100*s.* or 110*s*., as it did in 1816, he was convinced that the noble marquis would be the last man in the country who would object to the importation of foreign corn to alleviate the distress, or rather the starvation, which would be occasioned by such a rise. Government did not propose at all events to exercise the power which they asked to have intrusted to them; they only desired to be prepared to use it, if adverse circumstances should render the exercise of it necessary to preserve the country from famine. He did not wish government to be intrusted with this power, on the ground of any peculiar confidence being placed in them. It was a power, which, in his opinion, under existing circumstances, ought to be intrusted to any ministry. It was the interest of government not to abuse this power; and he wished their lordships to rely upon that, more than upon any confidence they might place in them. It had been said, "let ministers act upon their own discretion, and then come to parliament for an indemnity;" but there was no discretionary power for which ministers were not responsible. A noble lord had said, that this was not his measure; but he would unhesitatingly answer, that if any one individual was more culpable than another in advising this measure, he was that person. It was not the intention of ministers to exercise this power, except upon the utmost emergency, and for the purpose of saving their fellow subjects from famine. As he had before said, he would not enter into the general question of the Corn-laws, but he could not refrain from observing, that he thought some alteration in those laws necessary, and that the present could never be looked upon as a fixed system. Indeed this subject had been legislated upon several times, and various and contradictory plans had been adopted; and when it was last brought before the legislature in 1822, that bill was so far from being considered final, that further legislative measures were expressly provided for. Indeed it formed a great objection to that bill at the time that it was not intended to effect a final settlement of the question. It had been objected that government were willing to sacrifice the agricultural interests, in their negotiations with foreign countries, for the purpose of advancing their plan of a free trade, Now, in order that their lordships might judge as to how far this imputation was correct, he would state to their lordships what answer had been returned to the Prussian government, which had endeavoured to obtain favourable terms for the admission of its corn upon condition of taking our manufactures in return. That answer was in substance as follows:—That the British government could never entertain a proposition for any alteration in the Corn-laws of this country, which did not originate in the British dominions themselves. This answer was returned in the month of February last, and he thought it pretty clearly evinced the sentiments and feelings of ministers on this subject, who, in doing away with that system of prohibition, which they certainly did wish to get rid of as far as it was possible, had refused even to make this a matter of negotiation. This, he thought, sufficiently proved that ministers were no enemies to the agricultural interests. They wished to look at the question, taking the agricultural as well as all the other great interests of the country into consideration; and they wished that a just and equitable arrangement should be come to between all parties, which should be settled and final, as far as circumstances would admit of its being so. But he must again observe, that these measures had nothing to do with the Corn-laws. They were special provisions to meet special circumstances, and they would not be had recourse to, unless the safety of the country should require it.

The Marquis of *Lansdown* said, he rose at that late hour briefly to offer his opinion upon the motion now under their lordships' consideration. If ever inquiry into any question were called for, never did an occasion arise on which it was more incumbent on their lordships to institute one, in reference to all the interests now under their deliberation, than on the system of the Corn-laws; and he had no difficulty in stating it as the settled conviction of his mind, that at no distant period the whole system must be brought under a review of parliament; and it was because the alteration suggested by the noble earl opposite was a temporary alteration, not preceded by inquiry, that he now objected to it. He looked forward to a permanent alteration, preceded by inquiry, which alone could enable their lordships to judge of the expediency of the change, and the expediency of the system to be substituted for the one the defects of which they sought to remove. Let their lordships look at the effect that would be produced by the proposed temporary alteration, not sanctioned by inquiry, not only upon the agricultural, but on all the other interests. It was not founded upon any special emergency —not upon the probability of a famine, because if there were such a probability, the noble earl would not have failed to allege it. One of two things must therefore have been proposed, and the noble earl could not escape from the dilemma—either it was intended to make the alteration, which was nominally temporary, permanent, without affording the opportunity of seeing the grounds which rendered it necessary —or there existed apprehensions upon grounds not stated, and he therefore presumed there were none, of a scarcity—an evil which, if it did arise, would be more effectually met by government exercising a sound discretion on the expediency or otherwise of opening the ports, than by such a measure of legislation as this, legislation in the dark, which was always attended with mischievous effects, but most so when it affected the subsistence of the people. It seemed to him, that all the arguments which had been adduced by the noble earl in favour of having such a power lodged with government, would apply to any other time or season quite as well as to the present time; or, indeed, that they might be advanced as reasons why this should, instead of being a mere temporary measure, become a permanent law. Indeed the inconvenience in the latter case would be much less than in the former; for then every farmer would take his farm with a view to such law. From some artificial system respecting the Corn-laws, it was not possible for us to escape. As long as the country was burdened with taxation as it was at present, we could not altogether get rid of the inconveniences of this artificial taxation. A noble earl, whom he was proud to call his friend, had observed most justly, that there might be a bad system; but the worst of all bad systems was a changeable and fluctuating system, which caused every man who had embarked his capital under the faith of certain laws, to be driven out of his calculations by the fickle and vacillating conduct of parliament. With regard to the production of corn, the uncertainties of nature were quite sufficient; but the case of the agriculturists became truly deplorable when they had not merely to look to the winds of Heaven, but had also to depend on the breath of parliament as to the value of their crops. It was absolutely necessary for the welfare of the country, that some fixed and permanent system should be adopted. The noble earl had disclaimed all interference at present with the permanent system which he stated it to be his intention, at some future period, to suggest for their lordships' adoption. But the present alteration, although only temporary, was not the less an alteration, which would for the time affect all the permanent interests of the country as much as a permanent law; and with this evil, that it did not pretend to the advantage of settling the question for ever. The proposed measure would have all the inconvenience of an alteration, with the certainty that in another year there would be another alteration, the extent and tendency of which could not be calculated. On such questions the interests of the country could not, he thought, be more advantageously considered than by intrusting them to the care of responsible ministers. A noble lord had drawn a most affecting picture of the distress and desolation which might ensue, if this power should not be intrusted to ministers, and a season of scarcity should arise: but in answer to that, he would say, that the apprehended calamity could not occur, at least, as long as we had any government in the country. For no person would be fit to hold the situation of minister in this country, who, if such an emergency should arise, would hesitate one moment in taking upon himself the responsibility of averting the famine, by committing a glorious breach of the law; and there was no ground on which a minister might act more safely. But, indeed, we were not without a precedent in the history of the country; for what was the objection raised against lord Chatham and lord Camden in 1766? It was not that they ought not to have such an indemnity granted to them, but that they acted as if they had a dispensing power, and did not even condescend to ask for such indemnity, though it was, in fact, tendered to them; and it was also urged against them, that they ought to have broken the law, and called the parliament together without the forty days' notice which the law then required; but owing to the alteration of the law which had taken place in this respect, ministers might now convene parliament at once, if circumstances should occur to render such a step necessary. He thought it would be attended with far less mischievous effects if ministers were to be left to act on their own responsibility, than that they should proceed to legislate on contingencies which might possibly occur, and which must have the effect of sounding an alarm all through the country. For by the sudden adoption of this measure, which no one dreamt of three weeks ago, the people must argue, either that the noble earl intended indirectly to strike at the root of the Corn-laws, or that he had good reasons for apprehending that there would be a scarcity of corn. The former of these suppositions was calculated to cause a great artificial rise in corn, and the latter a great artificial fall. In his opinion, all extraordinary exigencies should be met by the determination of the moment, and when they arrived. He could only imagine one exigency which would call for this measure, and if that existed, it became government to reveal it to a committee, or at any rate a secret committee of the House. It was in vain to say that this measure was not intended to affect the question of the Corn-laws; people would not credit it: it unavoidably created a very extraordinary excitement. He felt convinced that, under the responsibility he had mentioned, the country might proceed safely until the next session of parliament. As the question had been generally disclaimed, he would not enter into any argument respecting the Corn-laws; but he felt persuaded that the opposition of interests, which was at present supposed to exist between the agriculturists and the manufacturers, would gradually disappear; and that each party would, at last, become convinced that it would be impossible to establish any permanent system which could be injurious to one, without at the same time being prejudicial to the other. If, by any unfortunate circumstance, the legislature were to be composed exclusively of landed or exclusively of commercial men, and were wickedly to confederate for the purpose of throwing all the burthens of the state on the other class, those burthens, by a law as certain as the law of gravitation, would gradually settle on the shoulders of all. If noble lords would refer to the report of Mr. Jacob, which had been alluded to in the course of the evening, they would find the wretched state in which the landed proprietors in the north of Germany were, in consequence of the absence of that commercial interest which would have enabled them to convert their produce into the means of enjoyment. It was the same with commerce. The commercial interest had been taught to consider cheap corn a desideratum; but if the cheapness of corn was such as to ruin the agriculturist, the ruin of the manufacturer must soon follow. Both interests had one common object, and it was only by a fair adjustment between them, that a sound and permanent Corn-law could eventually be established. Acting upon that principle, he trusted, that whenever parliament should be again called upon to consider the subject, they would close the account between legislation and corn for ever.

The House divided on lord Bathurst's amendment: — Contents 96. Proxies 70—166. Not-contents 42. Proxies 18—67.—Majority 99.

HOUSE OF COMMONS.

Thursday, May 11.

PETITION OF COLONEL BRADLEY, COMPLAINING OF THE CONDUCT OF COLONEL ARTHUR.] Mr. *Hume* said, he had been requested to present a petition from colonel Bradley, late in the West-India service, complaining of having undergone a series of unmerited injuries, and been visited with ruin and disgrace for the upright and honest discharge of his duty as a British officer. The petitioner had been twenty years in his majesty's service, and had attained the rank of lieutenant-colonel in the second West-India regiment. Two of his commissions he had purchased, and was promoted by service to the rank he ultimately attained. For eighteen years he was exposed to all the perils of the inhospitable climate of the West Indies, and in proof of the uniform propriety of his conduct, and the unwearied activity of his services, he appealed to the documents and testimonies in the offices of the commander-in-chief and earl Bathurst, and to the written and verbal declarations of his royal highness the duke of York, sir Henry Torrens, sir Herbert Taylor, sir George Cockburn, and other distinguished individuals. In the year 1819, the regiment of the senior officer in command at Honduras, colonel Arthur, was put upon half-pay. The consequence was, that he became incapable of holding a command, in virtue of his mere rank upon the half-pay list. The petitioner being at that time second in command, the whole responsibility and charge, according to the regulations of the British army, devolved upon him. Because, however, he thought fit respectfully to insist upon his right to the command, he was put under arrest, confined for a period of ten months, deprived of the benefit of a court martial, and finally, by the insidious arts and misrepresentations of his enemies, was dismissed from the service, with a right of sale of a majority only. The dependency of Honduras was governed by a superintendant, appointed by the governor of Jamaica. In July, 1814, colonel, then major Arthur, was appointed to that office, which was purely of a civil nature. At that time, the military command belonged to major Massey. It remained with him till the December following, when by his resignation, it devolved upon colonel Arthur, in his capacity of senior regimental commissioned officer on the station. In 1818, the petitioner arrived at Honduras; and found himself by the date of his commission, second in command. Early in the next year, official intelligence was received of the reduction of colonel Arthur's regiment, the York Chasseurs. Several conversations took place between the petitioner and colonel Arthur, in which the latter always stated, that he was perfectly aware that the reduction of his regiment would deprive him of his command. In June 1819, the York Chasseurs embarked at Jamaica, and in August were disbanded in Canada; but no notice was taken by colonel Arthur; though it had since been proved by his own returns, that he had received notification of his being placed on half-pay, on the 25th of October. The petitioner, feeling the deep responsibility of his situation, applied to colonel Arthur, and became urgent to know on what authority he continued to hold the command. Colonel Arthur, however, would give no further explanation of his conduct, than by asserting, that he had received letters informing him that he was to remain on full pay. The petitioner feeling his anxiety increased every day, by the unsatisfactory and mysterious proceedings of colonel Arthur; and having tried every conciliatory means in vain, and exhausted every verbal remonstrance, deemed it his duty to address a respectful letter to him, on the 22nd of May, 1820, calling on him to state the authority by which he still continued to hold the command of the king's troops, after it was notorious that his regiment had been disbanded. To this letter colonel Arthur returned no answer, but convened an irregular and motley assemblage of civil and military persons, to take it into consideration. The petitioner declined to attend this meeting, though he stated his readiness to wait upon colonel Arthur in private. In consequence of this refusal he was arrested, and stigmatised in garrison orders as a person guilty of unmilitary, insubordinate, and mutinous conduct. He requested to be brought before a court martial without delay, and called for a copy of the charges against him. He was kept in close custody in that pestilential climate 312 days. Amidst the various subterfuges brought forward to frustrate the petitioner's applications for justice, it had been asserted, that colonel Arthur held a commission, dated as far back as 1814. Whether his conduct could be affected by a document he had never seen, and which was never made known to the troops at Honduras, the petitioner did not stop to inquire; but he affirmed, that this commission had never been heard of, until, in 1824 it was brought forward as a pretext for supporting colonel Arthur's authority in a court of law. While the petitioner was under confinement, he sent at different times three reports to sir Henry Torrens, as colonel of the regiment; but none of these communications were noticed. Finally, while expecting an opportunity of vindicating his character, he learned with grief and astonishment, that he was removed from the army with the sale of a majority only, and that was disposed of while his royal highness the commander-in-chief knew that he was a prisoner at Honduras. The petitioner, finding all redress denied, was compelled to institute an action at law against colonel Arthur for false imprisonment, which having come to trial, sir Henry Torrens and sir Herbert Taylor were examined as witnesses. Sir Henry Torrens swore that four general orders had been issued, which conferred the power on colonel Arthur; yet, after the case for the plaintiff had been closed, the opposite party produced a commission, said to have been given by general Fuller in 1814, and which both sir Henry Torrens and sir Herbert Taylor swore gave him the command. Upon the trial, a verdict was obtained by colonel Bradley, from which it must necessarily be inferred, that colonel Arthur was only entitled to imprison colonel Bradley so long as he continued in the service, and that the extension of the imprisonment beyond that period was a grievance calling for damages. Colonel Bradley further complained, that pending his action with colonel Arthur, the government thought proper to send that gentleman out of the country, by means whereof he was unable to recover either the damages, the costs, or his expenses. Thus after twenty years of arduous duty in the service of his country, was this gentleman dismissed from his station in the army, which he had filled, not only without reproach, but with the entire satisfaction and approbation of his fellow officers. He therefore considered the case one of extreme hardship, to be thus dismissed and thus disgraced, when the very highest degree of charge that could be made out against him was an error of judgment, arising from a difference of opinion as to the interpretation of the rules of the service. He had examined those rules, and it was his decided opinion, that according to the construction of those rules, colonel Bradley had a right to the command of the troops; for in no case ought an officer on half-pay to have the power to command an officer on full pay; and such an assumption on the part of colonel Arthur was contrary to the rules of the service. Let the House remember, that colonel Bradley was in that situation, that had he not attempted to obtain the command of the troops, he was liable to have been brought to a court martial for having obeyed those very orders which he was now accused of violating. It was a matter of the last importance, in a country like this, where there were 15,000 officers on full and half pay, that these points should be fully ascertained; for if it were to be admitted, that an officer on half-pay could assume the command of those who were on full pay, it would open the door to great disputes and the utmost inconvenience. It appeared to him, therefore, that the petitioner was well grounded in his complaints; but then it was alleged, that colonel Arthur had in his possession a commission from general Fuller, the commanding officer of the station; but the petitioner appealed to the army at large to say whether they had ever heard of such a commission; and even if it had been granted, that it could never have been valid, unless published to the army. Unless it had been published, he had no right to be censured, for having in ignorance of its existence, conformed to the rules of the service. But colonel Bradley went further, and declared, that although sir H. Torrens, and sir H. Taylor swore on the trial to the validity of the commission, he was now prepared with the most unquestionable evidence to prove that such a commission was not in existence at the time when colonel Arthur assumed the command; and he exclaimed against the manifest injustice of having been injured by an ex post facto deed, which was manufactured for the purpose of preventing him from obtaining that verdict to which he was entitled. Whether sir H. Torrens did or did not swear that at the trial which was not founded in fact, it was not for him to give an opinion; he only stated the allegations of the petitioner. Having been thus defeated in his appeal to the laws of his country for redress, and having gone through some other forms which he did not understand, he had only further to add, although he had not entered fully into the details of this transaction, that he had stated substantially the petitioner's case, and quite enough, in his judgment, to warrant him in approaching that House as the only place that could afford him protection against the abuse of that power which the constitution had placed in his majesty's hands. With such a standing army in the country, it was a great hardship that there should be placed the power, at the wish and pleasure of one man of hurling a meritorious officer down from the station to which he had ascended, after years of arduous service and irreproachable conduct, without court-martial, or any inquiry whatever, which might have the effect, if not to re-establish him in his rank, at least to defend his honour against unmerited charges. Colonel Bradley after twenty years service eighteen of which were spent in a tropical climate, had his fortunes ruined and his honour disgraced, and therefore it was, he appealed to the parliament of his country. There were some technicalities in his case into which he had not entered, and the more particularly, as an hon. and learned friend below him who had conducted the cause, was intimately acquainted with all the circumstances, and would probably explain them better than he could.—He, therefore, concluded in the words of the petitioner: "he humbly but earnestly implores your honourable House, as the protectors of the rights of individuals, and the vigilant and zealous guardians over the control of all public departments, to take the premises into your most serious consideration, in order that justice, too long withheld, may be rendered to an innocent individual, whom even his oppressors admit to be a meritorious officer." He now begged leave to bring up the petition.

Mr. *Butterworth* defended the character of colonel Arthur, than whom no man in the service bore a higher character. As to the dispute between him and the petitioner, he was enabled to assure the House that colonel Arthur had been regularly continued in his command, and that it was in his own defence that he arrested colonel Bradley, whose conduct in assuming the command had well nigh led to an insurrection in the colony. Colonel Bradley had had a verdict of 100*l.* but the ground of that was, that he had been kept in arrest after he had lost his commission.

The *Attorney-General* said, he was desirous to make a few remarks upon the petition which had been just presented, containing charges the most insupportable —namely, that a certain commission had been produced on his trial, which commission was forged, and stating that certain high persons were guilty of perjury. The hon. member opposite had afforded him an opportunity of seeing the petition; and, although he had not detailed the circumstances, he was enabled to see the character of the petition; and he would put it to the House whether a petition, containing such unfounded charges, ought to be received. Now what were the circumstances of the case? In 1814, colonel Arthur was appointed civil superintendent of Honduras, and general Fuller was governor of the Jamaica station. In 1817 an order was issued, stating that the civil superintendent should command the troops. Under these circumstances it was that colonel Bradley took upon himself to say that he had the right to command; although it was obvious that colonel Arthur had never commanded in consequence of his regimental rank; for, in fact, his regiment never was in that colony. His authority to command was founded upon a commission from gen. Fuller, and the orders issued in this country; how then did colonel Bradley conduct himself? That gentleman insisted, that he ought to be commander of the troops, and actually issued garrison orders. Colonel Arthur expostulated with him, and sent captain Noel to him, telling him it was better that nothing should be done until they had received instructions from the authorities at home. What was colonel Bradley's reply? "I have submitted to this too long. I shall have nothing to do with colonel Arthur. I will be trifled with no longer." Why, then, under these circumstances, colonel Arthur had no other course to pursue. Now, to shew the accuracy of the statement of colonel Bradley: he stated that he had been imprisoned for ten months, whereas his learned friend opposite who had conducted the cause of the Petitioner, stated on the trial, that he had a document to prove, that colonel Bradley had been in close arrest for two months. It was therefore most material that this case should not be misrepresented, as it was in the petition. Now for another instance. Colonel Bradley says, he had been dismissed from the army in consequence of the mis-statements of colonel Arthur; but he held in his hand the document by which colonel Bradley was dismissed by his royal highness the commander-in-chief, and that document stated, that the resolution of dismissing him had been founded on the inconsistency and impropriety of his conduct, as demonstrated by his own representations. Again: the petitioner states, that sir H. Torrens swore on the trial to the validity of a particular commission, whereas sir H. Torrens said nothing at all about the matter. And yet the petitioner states, not only that this commission was forged, but forged for the base purpose of defeating the administration of justice. There was another charge against sir H. Torrens and sir H. Taylor; namely, that they had deposed to the existence of certain general orders which never were in being. Now, the fact was this:—In answer to a question from the chief-justice, sir H. Torrens said, that certain garrison orders had been issued, conferring this authority on colonel Arthur. Now this order was merely applicable to the civil superintendent, although in the course of the evidence, it was called a general order, not in a military sense, but general only as applicable to the colony. He therefore submitted to the House, that it was not competent to an individual, after having appealed to a court of justice, and finding the decision on the main point of the case against him, to come to that House and scatter those unfounded imputations. The only question at the trial was whether the authority to command the troops at Honduras was suspended by the reduction of the regiment to which the commander belonged? And, at the trial, neither in the evidence or depositions was such a principle admitted. In fact, the depositions of general Conran put the question beyond all doubt, that colonel Arthur had the just and proper command of the garrison. His hon. and learned friend opposite had applied for a new trial, and had argued the case with great ability, learning, and perseverance, and the court decided, and thereby confirmed the judgment at Nisi Prius, that the reduction of colonel Arthur's regiment had nothing to do with his military command. If the petitioner had confined himself to complaints, he should have felt it unnecessary to have spoken on the subject; but when he states that a verdict was obtained by fraud and perjury, and charges those who conducted that suit with a desire to pervert the ends of justice, he thought the House ought to pause before they received a petition containing such gross charges, or allow themselves to be made a medium of circulating throughout the country the most unwarrantable reflections on individuals of the highest character in the country. Upon these grounds it was, that, although he should not oppose the bringing up the petition, he should object to any further step with regard to it.

Colonel *Davies* said, that the reply of the Attorney-general consisted rather of an attack on colonel Bradley, than of an exculpation of those who were affected by the charges contained in the petition. Although colonel Bradley might have mixed up with his case circumstances which had been as well omitted, yet that was not the main point of the case. He had no doubt colonel Bradley was in error, in supposing that sir H. Torrens, and sir H. Taylor would decend to the acts imputed to them; but if colonel Arthur was actually in possession of the commission, as he stated, for what possible object could he conceal it? Why allow colonel Bradley to resort to measures which might have led to insurrection in the colony, when he had a commission in his pocket, which, if colonel Bradley had common sense, must have immediately satisfied him? Colonel Bradley applied personally, and wrote officially, to colonel Arthur, calling upon him to state his right to retain the command, but no authority was produced, and he therefore thought colonel Bradley had reason to complain of extreme hardship. With respect to the power of dismal from the army without court martial, that was a question on which his opinions were already known, and he should not, therefore go into it: but if it were a power to be exercised at all, it was one so fearful and extensive, that it ought to be under the control of the utmost caution. Here was an individual who had long and faithfully served his country, and was dismissed without an opportunity of having the charges investigated. It was one of the complaints of colonel Bradley, that up to this hour he had never seen the charges which had been preferred against him. Another of his difficulties was, that government had undertaken the defence of colonel Arthur; and by appointing him to a foreign station, had relieved him from the payment of costs and damages. He therefore hoped, that the Attorney-general would not object to the allowing the petition to be printed, lest, thereby, the injustice and oppression which it imputed might go unredressed.

Lord *Palmerston* said, that if the petition had been confined to the mere complaints of the petitioner, he should not rise to oppose its reception; nor should he oppose its being read and printed, did it not contain charges the most unfounded against two men of as high honour as any in the country; namely, sir H. Torrens and sir H. Taylor—which were libels so gross as to compel him to oppose any motion for the printing of the petition. Now, what does colonel Bradley expect the House to do? That gentleman appealed to a court of justice, for the purpose of shewing that his conduct was justified by law, and in that appeal he failed—he appealed again, and was again unsuccessful; and he was therefore warranted in saying, that colonel Bradley had no legal ground of complaint. With respect to his military conduct, the case was quite clear. Colonel Bradley had been guilty of gross insubordination, amounting almost to mutiny; and in consequence of his conduct he was dismissed from the army—not on the representation of colonel Arthur, but on the consideration and investigation of his own statements, as compared with those of colonel Arthur. Colonel Bradley was quite mistaken in supposing that the disbandment of colonel Arthur's regiment produced any alteration in his military authority. As his regiment had never been in that colony, it was impossible he should ever have command by virtue of his regimental rank; but it did so happen, that even if there had been any doubt about it, the question was decided by actual circumstances. Colonel Arthur had first belonged to the 7th West-India regiment, which was reduced in 1816, and that officer was put on half-pay. Now, did the reduction of his regiment affect his military command? No such thing. He continued to command the garrison just the same as when he was on full pay. He therefore stated, that previous circumstances had decided the question, as to whether the being on half-pay affected the command of the colony. But it was said, that colonel Massey had exercised the military command after colonel Arthur had been placed on half-pay. Now, this was disproved by the returns in the Commander-in-chief's office; so that colonel Bradley was mistaken in all his facts. How was an officer to act in a distant colony? Colonel Arthur offered to transmit to the Horse-guards any communications which colonel Bradley might think necessary. But colonel Bradley was guilty of the grossest insubordination; and if colonel Arthur had not acted in the manner he had done he would have proved himself unfit for the situation in which he was placed, and have subjected himself to the serious displeasure of the commander-in-chief. It was therefore clear, that colonel Bradley having been guilty of this kind of insubordination, deserved to be dismissed from the service. But he would also state, that he had been treated with great indulgence; for, although he had been removed from the army, he was permitted to sell his majority, having only purchased his ensigncy and company; and, when colonel Bradley preferred those charges against sir H. Torrens, it was only fit to state, that it was on the personal recommendation of sir H. Torrens that colonel Bradley was promoted to the rank of lieutenant-colonel; so that he was guilty of the greatest ingratitude in placing on the table charges against sir H. Torrens so utterly ungrounded. With respect to his own conduct in the transaction, he had felt it his duty to recommend that the case of colonel Arthur should be conducted at the public expense, and he should have been guilty of a dereliction of duty if he had not done so. It would be hard indeed, if, when an officer had discharged the duty he owed his country, and was dragged into a court of justice, he should be subjected to all the expense and inconvenience; but, at the same time, he must add, that it was no part of his instructions to pay the expenses attendant on the extension of the imprisonment of colonel Bradley beyond its proper period. The ground upon which the court had directed a verdict in favour of colonel Bradley was, that he should have been released on the first intimation of his being placed on half-pay. However, it was fair to state, that the intimation received by colonel Arthur was not that colonel Bradley had been put on half-pay, but that it was intended to do so. According to the usual course, the communication of the fact must have been made by Jamaica, so that necessarily an interval must have elapsed between communicating the intention and carrying it into execution. Upon these grounds, then, first, that colonel Bradley asks that which the House could not grant; and that it was improper that the House of Commons should be made instrumental in circulating unfounded calumnies he must give his opposition to the bringing up this petition.

Mr. *Brougham* said, that the circumstances which had been adverted to by his hon. and learned friend opposite, namely, that he had been professionally engaged in the cause, induced him to come forward to avoid any unjust inferences being drawn from his silence. He had always considered it expedient that professional men should abstain from interfering in that House on questions in which they had been professionally engaged; and the reasons for such a course were too obvious to require explanation. These remarks would not apply to his hon. and learned friend opposite, who stood in the capacity of a public officer, and as such was bound to conduct proceedings of this nature. As the court had decided in a particular manner, and as that decision was final, he was not at liberty to comment upon it; but he had always understood, from the very beginning of this cause, that the highest imputation against colonel Bradley was an error of judgment. With respect to the charges preferred by the petitioner against certain honourable persons, he would fain hope the House would pause before they adopted, as a principle, that no charge was to be printed amongst their votes which happened to reflect upon high individuals. He must say here, that with respect to the charges preferred against these honourable persons, he knew nothing at all about them; but having read the petition, he must differ with his hon. and learned friend in supposing that there was any thing in it personally offensive to the gentleman alluded to. All the petition did was to accuse some person of having forged a certain commission; colonel Arthur not having produced that commission when he was repeatedly called upon to do so. He could not recognize the principle, that the House had a right to refuse a petition, because it contained charges against individuals, how high soever their rank or station. If the petition, then, ought to be received, the question of printing followed the same rule. It was a matter of course, that the votes should be printed for the use of the members; and, as to publicity, the rule was well known, that a person who published any statement contained in a petition was liable to punishment, as in the case of libel.

Mr. Secretary *Peel* contended, that the House ought to look with a great deal of hesitation at the complaint of any petitioner whose case had been already decided, after a long and impartial inquiry in a court of law; and with still greater scruple, when that person came forward and accused persons of such high honour and distinguished character as sir H. Torrens and sir H. Taylor, of what could only be called gross perjury. For he said, in precise terms, that no such general order ever existed, as that to which sir H. Torrens actually swore in a court of law to have been issued. Was it probable, that such a man as sir H. Torrens would perjure himself in the manner which the petitioner alleged? Or ought they, with any regard to justice, or to the character of the individual so charged, to permit such an accusation to be publicly dispersed by their authority It was, undoubtedly, the right of every subject to present what he considered his grievances to the consideration and compassion of that House; and on that ground he would not object to the petition being laid on the table. But he felt it due to the character of the general officers accused by the petitioner, that they should leave him to seek his remedy, if he could prove his assertions, in a court of law, and he would therefore oppose any motion for the petition being printed.

The petition was then brought up.

Mr. *Hume* entered into a detail of the occurrences mentioned in the petition, and contended, that there was one plain and obvious course for colonel Arthur to have pursued, namely, to produce the commission, if he really possessed it: that would have prevented all the evils which followed, and which were the more dangerous, and the more to have been avoided, when they knew that the colony was almost in a state of insurrection. All complaints were charges of one kind or other, and involved more or less the character of those who were the subject of them. He knew not, indeed, how justice could be done without them; but, as the right hon. gentleman seemed to have so great an objection to those passages which affected the conduct of sir H. Torrens, he would, although he wished to move that it be printed, in the hope that some member might feel it right to take measures for having it referred to a committee, now consent to withdraw it altogether.

The petition was accordingly withdrawn.

Mr. Buckingham—Liberty of the Press in India Committee.] Lord *John Russell* moved, that the Select Committee appointed to examine into the matters alleged in this gentleman's petition be empowered to send for persons, papers, and records.

Mr. *Wynn* said, that he might, with great propriety, move that the order which the House had made on a former evening on this subject should now be rescinded; and the ground upon which he should be justified in doing so was, that there had been no notice of the motion which the noble lord had carried. He had, at first, resolved to do so, but he had since abandoned his intention; and he would tell the House why: it was, because the case was one in which an individual complained of having suffered great hardship. If it had been of a different description he should certainly have acted upon his original resolution. The noble lord communicated to him, and to another gentleman on his side of the House, his intention of presenting a petition; but he had given no intimation whatever that he purposed to follow it up by a motion; and certainly he could not have imagined the noble lord intended to make such a motion as that which had been proposed. Knowing, as he did, the noble lord's usual courtesy in all matters which he brought before the House, he should not have believed it if he had been told that any such proceeding would have been adopted by him. He did not now rise to oppose the motion; but as the noble lord, in forming a committee of sixteen, had taken only five members from the ministerial side of the House, the other eleven being selected from the opposite benches, he should object to the addition of any more names to the committee.

Colonel *Davies* said, he was sure his noble friend had no intention of taking the House by surprise. He had not requested him to attend, nor, as he believed, many other gentlemen who were usually in the habit of acting with him.

Lord *Milton* said, he supposed the reason of the right hon. gentleman's complaint was, that no Treasury notes had been issued on the occasion.

Mr. *Hobhouse* said, that so far from there having been any intention on the part of his noble friend to take the House by surprise, he had himself requested his noble friend to put off the motion. He had no reason for doing so, but that he thought any other occasion would be just as favourable to its success as that on which it was made. He could not sufficiently express his surprise at the intention which the right hon. gentleman avowed. If he had carried it into execution, what, he asked, would be the inference of the country? The most ardent reformer that ever lived would not wish that such a picture should be held up to the country of the state of the representation—that because the benches on the right hon. gentleman's side of the House were not so well filled as usual, any motion which happened to be made at that time was afterwards to be rescinded. Would it be openly insisted, that if by an accident—a rare one, it must be confessed—they, on that side of the House, succeeded in carrying a question, it was afterwards to be decided over again, at an opportunity which ministers might think more favourable? They should remember, that the same thing might, if the example were once set, be practised on that side of the House. He did not see why this question differed from any other, or why it required any more notice than the corn question, which had been so lately proposed.

The *Chancellor of the Exchequer* said, his right hon. friend had been misunderstood. Undoubtedly, the rules of the House were not made for the convenience of one side or the other; and he believed that, if the course now complained of were adopted on that side of the House, gentlemen opposite would complain of it bitterly, and with great justice. He must confess he was surprised that the noble lord should have made this motion without notice. He was himself on his way to the House on the evening on which it had been made, but hearing that there was nothing before the House but petitions, he was ashamed to say he turned back.

Mr. *Calcraft* protested he had neither had, nor heard of, any such notice as that about which the right hon. gentleman had spoken; and yet he had voted on the former evening with his noble friend; and did not regret that he had done so. As to the objections that had been taken to the noble lord's mode of proceeding in this case, the whole of the matter was, that the right hon. gentleman was very sore. He did not like to be beaten; and defeat was yet too new a visitation for him to be callous to it. For his own part, he could not agree with those who thought that a formal notice ought always to be given, preparatory to bringing forward a motion. Experience showed, that it was only by sudden movements that members on his side of the House could defeat their much more powerful antagonists. Whenever these formal notices were given, and they had what was technically called a "field-day" of discussion, they were sure to be overwhelmed. However inconvenient the course complained of might be, he could not consent to relinquish, upon all occasions, the exercise of that wholesome privilege, which every member had the power to exercise, of propounding motions without notice.

Mr. *Brougham* was inclined to think that the motion of his noble friend, on a former evening, had been carried against ministers, not quite so much by surprise as some hon. members seemed to imagine. The debate on that occasion was undoubtedly not a very short one. There had been a great deal of discussion upon it. If he recollected rightly, an hon. and learned friend, from Doctors' Commons (Dr. Phillimore) addressed the House at considerable length, and no doubt in a manner very profitable to those whom he addressed; but the length of that address was certainly not the less profitable to the division which subsequently took place. For during his learned friend's exercitation, a great many members came down, who, not being scared like the Chancellor of the Exchequer at hearing that the debate was only about a petition, did not turn back, but took their places in time to vote with his majesty's ministers. And, by a singular coincidence it happened, that during precisely the same period, and while his learned friend was stating his view of the question, a great many gentlemen on his (Mr. B.'s) side of the House left it. The vote was not, therefore, altogether so mere a matter of accident as it had been described to be. The fact was, that a very general impression, in the case of Mr. Buckingham, had gone abroad—and a very strong one too—that, somehow or other, by the conduct of the East India Company, that gentleman had been very hardly used.

Dr. *Phillimore* said, he thought he had a right to complain that the noble lord had not given any notice that he intended to move for a select committee. He had certainly stated, that he would bring the petition under the consideration of the House, but he did not even hint that he would follow up that proceeding with a motion for a select committee. And he for one must say, that on hearing the speech which the noble lord delivered on the petition being presented, he had no idea that the noble lord meant to call for a select committee. He might have been imprudent in the speech he had made, but he must say, that in addressing the House on that occasion, he was not actuated by any consideration connected with the division which afterwards took place. It arose entirely from his decided opinion that the whole of this proceeding did not originate in any feeling of compassion for Mr. Buckingham, but from a desire to carry on indirectly, an attack upon the memory of the late Mr. Adam —an individual, who, in his conscientious opinion, he believed to be one of the most valuable servants the Company had had for a long time. Unfortunately for the Company, death had closed the career of that distinguished individual. He was not there to defend himself; and he thought it but fair to say thus much in justification of that gentleman's character.

Mr. *Brougham* said, that if the motion in question had been introduced for the purpose of levelling an attack against the lamented individual whose name had been mentioned, or if he thought that by possibility it could lead to such an attack, he would have been the last man to have given it his support.

Dr. *Phillimore* said, he undoubtedly never thought that the noble lord or his learned friend would make themselves parties to such an attack, but he knew that many persons, in bringing forward this question, had mixed up the character of Mr. Adam with it, in a most unjustifiable manner.

Lord *J. Russell* defended the course he had taken on a former evening. The gentlemen around him had no more notice of what he meant to do than the gentleman opposite had. And when he stated that he would introduce the petition, he did not give notice of what he would afterwards do, because he wished to leave it open to himself to pursue that course which might, under the peculiar circumstances of the case, appear to be necessary. He considered the course which he had adopted to be as regular as any other that could be pointed out. He conceived that he, or any other member, was competent to bring forward the motion, without giving notice to the House. He saw no reason why he should adopt a course of proceeding which would enable ministers to issue their summons to the individuals in that House who were the representatives of Downing-street, calling on them to give their vote on a question, the merits of which they had not heard discussed. He thought it was always better to have a question decided by those who had listened to the discussion (which was the case in this instance), than by those who had not. As to the subject itself, it had long been before the public: it had been agitated in various ways, and was, therefore, a question of which no man could be completely ignorant. The learned gentleman who had just sat down had asserted, that these attempts to procure redress were in reality brought forward to degrade the character of Mr. Adam. He, for one, must solemnly disclaim any such intention. Until he perfectly understood the nature of the case, he had felt unwilling, from his knowledge of the family of Mr. Adam, and from the character which that gentleman bore in India, to have any thing to do with it. But when he at length found, that Mr. Buckingham had been refused redress in every quarter to which he had applied, he thought that no consideration of the family connexion of any individual ought to prevent him from bringing forward a case, which appeared to him to be one of severe individual hardship. He considered that it was his privilege to bring forward the motion in question without notice. He was not obliged to give the Treasury an opportunity to send forth their notices, and to bring down their regular pack to vote on the occasion.

Mr. *Hume* said, that Mr. Adam's character or conduct had nothing to do with this petition. Mr. Buckingham complained of the destruction of his property, which had taken place after Mr. Adam had left the government, and when he was absent for the benefit of his health. The sending Mr. Buckingham from India by Mr. Adam, and the subsequent destruction of his property under the government of lord Amherst, were two very distinct questions.

Mr. *Astell* said, that the honorable gentleman wished to persuade the House, that the case of Mr. Buckingham, as it had been brought before them, applied only to the destruction of his property subsequently to his leaving India; but he begged leave to say, that the great grievance of Mr. Buckingham, and that which formed the principal feature of his complaint, was his removal from India, which was set forth at large in his petition. That removal had been rendered necessary by his own conduct, and the conduct of the writers in his paper, who were continually vilifying government. The house ought not, therefore, to be led away by the partial statements of the hon. gentleman. As Mr. Adam's name had been mentioned, he would take that opportunity—as he would seize every opportunity that occurred—to do that individual justice. He would say of him, that a more able, zealous, or upright servant of the East India Company never lived. The loss of that excellent man could not be easily repaired; and he must declare, that the name of Mr. Adam had been most unjustly coupled with these proceedings.

The *Solicitor General* observed, that Mr. Buckingham having appealed to the privy council, and that body having decided against his appeal, he thought it a most unusual course to bring the subject before parliament. In common fairness, a notice of the noble lord's intention to move for a select committee ought to have been given; because he believed many individuals would have voted against the motion, had they been aware that it was a matter between Mr. Buckingham and the East India Company on which the privy council had adjudicated.

The motion was then agreed to. On the motion of lord John Russell, Mr. Abercromby and sir C. Forbes were added to the committee. Mr. Wynn then moved that Mr. Stuart, colonel Baillie, Mr. W. Peel, sir E. H. East, Mr. Ross, lord G. Somerset, Mr. Wellesley, and colonel Lushington, be added to the committee.

Lord *Milton* observed, that the parties now proposed were either in office, or connected with the East India Company; whereas, when the committee were appointed the other night, he believed the names were taken alternately from both sides of the House.

Lord *J. Russell* said, that there were on the committee which was appointed on Tuesday evening, five persons, who were either commissioners of the Board of Control, or East India directors,—individuals who were certain to vote against Mr. Buckingham's claim. Of the other members of the committee, a considerable portion of them were gentlemen who sat on the Opposition side of the House, and who were in favour of inquiry. The right hon. gentleman had, however, introduced the names of a number of persons, who had either places under the Crown, or who were connected with the East India Company. This, he contended, was not fair. He was sure that the right hon. gentleman's ancestor, Mr. Speaker Williams, did he preside in the Chair, would be ashamed of a committee thus partially selected.

Mr. *Peel* was of opinion, that Mr. Speaker Williams would rather be ashamed of the manner in which the committee was selected on Tuesday last, than of the addition which it was now proposed to make to it. A noble lord had stated, that the members of the committee had been taken alternately from both sides of the House. Now, out of sixteen names, ten had been taken from the opposite side of the House; and one of the remaining six had made a speech in favour of Mr. Buckingham. Two names of gentlemen who were favourable, he believed, to this claim, had since been added to the list; so that there was a balance of 13 against 5.

Mr. *Hume* said, the right hon. gentleman should allow others to act on the principle which he and his friends had adopted in forming the committee, in the early part of the session, on the Scotch and Irish currency. On that occasion, a committee of twenty-one persons had been appointed, three only of whom could speak the sentiments of the people of Scotland with respect to the currency question; while the other members of the committee were all ready to destroy the present circulation of Scotland. There was the chancellor of the Exchequer decidedly in favour of an alteration. Mr. Peel also in favour of it.

Mr. *Peel.*—I never said any thing about it.

Mr. *Hume.*—I beg to state my recollection of the matter; having, on the very day, noted the circumstance, as proving this to be the most partial list that was ever drawn up.

Mr. *Peel.*—I did not open my lips on the subject.

Mr. *Hume* proceeded to contend, that the list of the committee appointed to consider Mr. Buckingham's petition was not a partial one. The list was put into the noble lord's hand partly written, and the success of his motion was as little expected by the noble lord as it was by him. Therefore, there could have been no premeditation. The proposition now made, by which the Board of Control and the Court of Directors would have an opportunity of deciding on the case of this individual, was absolutely ridiculous. It was completely depriving Mr. Buckingham of any chance of success.

Mr. *Peel* said, that undoubtedly he had a strong opinion on the subject of Scotch currency. He thought it was right to extend to Scotland the system which prevailed in this country. But, when the motion for a committee was made by his right hon. friend, he did not say a word on the subject; so, it was impossible that the hon. member could have taken any note on the subject. When the hon. member said there were but three members connected with Scotland appointed on that committee, he was at a loss to know on what principle it was that he formed his calculation. He, however, could say very little for the correctness of the hon. member's estimate. He found on that committee, besides those whom the hon. member had mentioned, the lord Advocate, lord F. Gower, who could not be said to have no interest in the question, and Mr. W. Gordon; and when the hon. member for Aberdeen proposed Mr. W. Gordon, he ought to recollect that the proposition was at once agreed to.

Mr. *Trant* said, in answer to the observation which had been made by the right hon. gentleman (Mr. Peel), that he went into the committee without any bias on his mind. He was perfectly open to conviction. He scorned the imputation of going into a committee of inquiry with his mind made up to a particular decision.

Mr. *Peel* said, he had not insinuated that the hon. member had any undue bias on his mind. He had merely observed, that the hon. member had spoken and voted in favour of the motion.

Mr. *Scarlett* observed, that if the object of this committee was fair inquiry, it certainly ought not to be filled up by those who had voted against such inquiry.

The names proposed by Mr. Wynn were then added to the committee.

Exportation of Machinery.] Mr. *Hume* rose, pursuant to notice, to move for leave to bring in a bill "to repeal so much of the 6th of Geo. IV. cap. 107, as relates to the Exportation of Tools and Utensils." He contended, that the necessity of allowing the exportation of machinery had been fully substantiated by the evidence given before the committee on that subject. It was proved, that, if the exportation were permitted, this country would find a market for machinery throughout a very large portion of the world. By adopting a contrary system, they compelled other states to create machinery for themselves, instead of having recourse to Great Britain. But, though the act, part of which he wished to have repealed, forbad the exportation of machinery of particular kinds, it permitted steam-engines, and other articles intimately connected with machinery, to be sent abroad. His object was, to give employment, as far as possible, to a numerous class of workmen—an object of great importance, when it was considered that one portion of our population was in a state approaching to starvation. The laws of the country prevented many persons from being employed in the formation of machines at the present moment, while the masters admitted that they could procure foreign orders to almost any amount, if they dared to take them. There was, he knew, a prejudice against sending out machinery; but it was dying away fast. A petition had been presented to the House on this subject, which was worthy of consideration. It was there stated, that in consequence of these laws, many individuals were obliged to depend on the poor-rates of the parish where they resided, or to seek for employment in other countries. At the present moment, he believed strong inducements were held out to English workmen to go abroad for the purpose of making machines. Now, he conceived it would be more wise to send the machines abroad, and to keep the workmen at home. He had some time since called on the President of the Board of Control to bring in a bill for that purpose. At that time, the right hon. gentleman was not aware of the situation to which the manufacturing classes were on the point of being reduced; for, if he had, he certainly would have made every exertion to have the law repealed. The hon. member concluded by moving for leave to bring in the bill.

Mr. *Huskisson* apprehended, that if leave were given to export every species of machinery, without discrimination, considerable mischief must ensue. In some cases, the exportation of machinery had been allowed; namely, in those cases where the framers of machinery did not conceive that their interests could be prejudiced by permitting exportation. There might be, and he feared there was, a number of ingenious artisans out of employ; but, in setting on foot a measure of this kind for their relief, the House should first know how far it was likely to affect the interests of those by whom they were ordinarily employed. He would not oppose the motion for leave to bring in the bill; but, before it proceeded further, it would be necessary that the fact of such a measure having been introduced should be known throughout the country, in order that they might be put in possession of the feelings of those who were most interested in its provisions. If, on that examination, it should appear that any of the great interests to which he had alluded were likely to be prejudiced, he should feel it to be his duty to oppose the measure.

Mr. *Birch* deprecated the introduction of any such measure at the present moment; because it must necessarily produce a most unpleasant feeling in the country. It would be much better to wait until the next session of parliament. As to the committee, to which the hon. mover had alluded, he must say, that the whole of the evidence given before it was decidedly ex-parte.

Mr. *Littleton* said, that whatever opinion might be entertained of the merits of this question, the present moment was the most unfavourable that could be selected for agitating it. The inquiry which this subject had undergone was the most defective that could be imagined. There had been no evidence on the subject from Lancashire, Glasgow, Birmingham, or from several other places in which this manufacture was carried on. The House had not heard the opinions of Bolton and Watt, and other eminent scientific men engaged in the trade; but from the information which had reached him on the subject, he was led to believe, that the opinions of those gentlemen were not favourable to an unlimited exportation of machinery. A petition was last year presented from Nottingham, full of information on this subject, and to that petition he should wish to refer the hon. member. He would admit, that in time copies of our machines would find their way into foreign countries; but all those hitherto sent there were imperfect, and to repair them workmen were required from this country. It would take a long time to have such machines equal to ours, unless there was allowed a general export of machinery; and if that were once to take place, he believed that a great portion of our industry and capital would follow.

Mr. *Philips* said, that if we had no means of employing the manufacturers of machines at home, it would be but common justice to allow them to manufacture for foreign countries. The export of machinery would have the effect not only of giving employment to many of the manufacturers, but would also enable many persons in the trade, who now had machines unemployed, to dispose of them to advantage to other countries. With respect to the question then before the House, he thought that on the principle of free trade, which was carried into so many other branches of our commerce, the export of machinery would not have an injurious tendency; but, under all the circumstances of the present time, it was his opinion that it would be better to refer the whole subject to a committee next session.

Mr. *Huskisson* said, it would be hopeless to attempt to carry any measure into effect on this subject in the present session.

Mr. Secretary *Peel* thought that a dispassionate consideration of the subject could not be expected at the present period. The hon. member had wished for the opinions of practical men on this subject; but he would ask, whether it would be proper to withdraw practical men from other and more important business at this period? If he were an advocate for the measure proposed by the hon. member, he thought he should best promote the object in view, by requesting him to postpone it.

Captain *Maberly* expressed a hope, that under the circumstances stated, the hon. member would not press his motion at present.

Mr. *Hume* said, he had brought forward the motion in consequence of the petitions which had been presented to the House from the manufacturers of machines, complaining of being out of employment, and praying for relief. He did hope, that the principle which he advocated would at last be adopted; but as some hon. members thought the discussion of the subject would increase irritation in the minds of the manufacturers, and as he had no wish to add to that which already existed, he would, with the leave of the House, withdraw his motion.

The motion was then withdrawn.

Corn Importation Bill.] On the order of the day for the second reading of this bill,

Sir *T. Lethbridge* said, he would not detain the House by a repetition of the arguments that had been urged against the bill; but his opinions as to its injustice and impolicy were unchanged, and he therefore should take the sense of the House upon the second reading. He objected to it chiefly as a measure totally uncalled for by present circumstances. Though he thought that, generally speaking, it was a bad system to adopt, to legislate according to the feelings of people out of doors, which the hon. member for Aberdeen had just professed his willingness to do with regard to his machinery, as he considered it to be the duty of that House the rather to lead public opinion than to follow it; yet, as the doctrine of public feeling had been seconded by the president of the Board of Trade, and by the secretary for the Home Department, he should think himself justified in adopting the same line of argument. The first class which, to a man, were opposed to the measure, were the corn-dealers,—a class with which he did not generally sympathise. A great excitement had been created amongst that class, on account of the attacks which had been made on their property; but that body could meet and express their opinion and feelings simultaneously, as they all met at the corn market; but not so the corn growers, who were diffused throughout the country without any means of communication. If, therefore, he felt for the corn-dealers, he felt doubly for the corn-growers; as the present measure militated principally against their interest. There were 400,000 quarters of bonded corn to be introduced into the market, and 500,000 quarters to be imported; and all this at a time when it was known that there was abundance of corn in the granaries of the country. He denied that the corn had been kept back in the hopes that there would be a scarcity; though he would admit that it was reserved from the prospect of a better market. If ministers were to have the discretion they asked for, he did not wish them to state the price at which foreign corn was to be imported; he would rather that they did not: the measure was theirs, and it was right that they should take all the responsibility, if they took any. He, therefore, was glad that they had said nothing regarding either the price or the duty.

Sir *W. W. Wynn* said, that at the first introduction of this measure he was not disposed to view it in a favourable light; but, after the best consideration he had been enabled to give it, he thought the decision which the House had come to on the subject was highly creditable to it, and showed the feeling which it entertained for the distresses of the country. He believed that the fears of many hon. members were unfounded, as to the quantity of corn now in bond. It had been stated at 400,000 quarters; but he had reason to think that it did not exceed 269,000 quarters. Feeling that the measure was not likely to be productive of the injury which some hon. members anticipated, he would vote for the second reading; but he would reserve himself as to the details of the measure, until it should be in the committee.

Colonel *Wood* regretted that the hon. baronet had determined to take the sense of the House on this measure; for he thought the general question lost much in the opinion of the country by those frequent divisions. If, however, the hon. baronet pressed it to a division, he would vote for the second reading. He would not do so because be approved of the bill as a whole. And here he would observe, in reference to what had fallen from the right hon. Secretary for Foreign Affairs on a former evening, that he would not be one of his "compurgators" in bearing him out as to the necessity of this measure. He would, however, go to a committee, and he would there propose that 65*s*. be the price at which foreign corn should be imported, with a duty. This he thought would satisfy the country, and be a most important alteration in the Corn-laws. He would reserve his arguments on this point until he went into the committee, when he hoped he should be able to persuade the committee of the advantage of such a regulation. Some hon. members had wished to have a free trade with a fixed duty, but he thought such a step extremely objectionable; for no fixed duty ought to be allowed to continue at a scarcity price. It would therefore be idle to suppose that a fixed duty would settle the question for ever. When a scarcity arose, they would have to come to parliament again to alter that fixed duty. But it was said, that if the ports were opened at a fixed duty, no scarcity could arise. He had read Mr. Jacob's report on the subject of foreign supply, and he found that the utmost we could now expect from the Baltic would be 500,000 quarters. The hon. member went on to contend, that a graduated scale would also be insufficient. The only safe mode would be the present law modified, by reducing the import duty as low as possible, consistently with the state of the country.

Mr. *Bankes* said that the measure, as it now stood, was different from that which had been first introduced. The alterations made were certainly improvements; for had the first proposition been carried, to open the ports at a duty of 12*s*., there was no doubt, whatever hon. gentlemen might say to the contrary, that that would continue to be the duty, whenever the question might be discussed hereafter. But, notwithstanding the alterations that had been made, he still thought the question extremely objectionable. His first objection was, that the agitation of the Corn-laws was not at all necessary at the present moment. The introduction of the measure at this time showed a great inconsistency on the part of ministers. What, he would ask, had occurred since the 18th of April, when the House came to a decision on the question? What did ministers expect from this measure? In what degree did they expect that the liberation of the bonded corn would lower the price of the markets? Was it 8*s*. or 10*s*. per quarter? If it were lowered 10*s* or even 20*s*. per quarter, would it afford any relief to the manufacturing districts? If it would not, how could ministers lend themselves to a delusion so perilous as the present was in every respect? Did they not see that those who were without money, and without employment could not buy corn, even at the most reduced rates? Would they tell him how those unfortunate individuals could be benefitted by the present measures? Let them answer this question plainly, and not talk to him about such solemn nonsense as "moral effect." Another great objection which he had to this plan was the time at which it was proposed, and the mode in which it was to operate as relief. "Probitas laudatur et alget" was an observation of some antiquity, but one which had been completely verified in the present instance. Whilst the people were quiet, no aid had been administered to their distresses; but, as soon as they began to be riotous, measures were devised for their immediate relief. On these grounds he retained all the objections which he had originally felt to this proposition. He gave credit to ministers for the alterations which they had made in it; but they were not such as to reconcile him to it, for he was convinced that whatever was founded in deception and delusion must end in frustration and disappointment. He should therefore conclude by moving as an amendment, "That this bill be read a second time this day month."

The *Chancellor of the Exchequer* said, that it was a great satisfaction to him to know, that though many gentlemen had felt warmly in the discussions which had recently taken place on this measure, all of them had abstained from examining it with any undue degree of heat and violence. He trusted that they would still preserve the same moderation which had hitherto guided them, and that whatever exasperation might prevail elsewhere, none would be perceived within the walls of that House. He was anxious to make a few remarks on this question, because the greater part of what he had hitherto heard, referred not so much to the question itself, as to the course which government had pursued upon it, and the moment at which it had brought it forward. The hon. member for Dorsetshire had told the House, that he had four objections to it. The first of them was, that government had acted with inconsistency in proposing the measure at all. Now, that might be a good argument as against the government; but, if the measure were right, it was no argument against the measure. He asserted, however, that government had not acted inconsistently. It was true, that when his right hon. friend, the President of the Board of Trade, was asked, early in the session, if it was the intention of his majesty's government to bring forward a general revision of the Corn-laws, his answer was in the negative. The reason was, that the last session of a parliament was a most unfit time for the consideration of a subject of so much importance. The little by-battles that had occurred on the presenting of the several petitions on the subject sufficiently showed the spirit in which the general discussion would have been carried on. But, although his majesty's government thought it inexpedient to enter on the revision of the whole system of the Corn-laws, it by no means followed that it was inconsistent on their part, when any necessity called upon them to do so, to propose a temporary suspension of the laws, such as that under consideration. It had been said, that it would have been better if ministers had allowed things to take their chance, and if, instead of a previous application to parliament, they had, in the event of unfavourable circumstances, resorted to what he was astonished to hear called the "royal prerogative." He confessed he thought that honourable gentlemen, who used that argument, spoke much too lightly of the act of suspending the laws of the country. But suppose ministers had determined on that course,—suppose, after the termination of the session corn had risen as it did in 1816, and ministers had exercised the power which had been alluded to, would not that have been as great a prejudice to the main question as the present proposition? Would it not have been desirable that parliament should be summoned in the midst of their holiday relaxation to discuss the question—and, be it observed, to discuss it only negatively, and that under the clear and undoubted indication, that the existing law had been proved insufficient to meet probable contingencies? The course which had been adopted appeared to him to be much more fair, manly, and constitutional. The hon. gentleman's second objection to the measure was, that it would do no good. His majesty's government never pretended to bring it forward as a panacea for distresses, which they admitted were no more occasioned by the Corn-laws, than by any road-bill that had passed the House. But, would any body say that when there was intense distress,—when there were congregated hundreds of human beings who were unable to obtain more than a mere pittance to support their debilitated frames,—and when there were many who were not able to obtain even that, that the price of corn would have no effect? The measure was proposed to meet a possible contingency—to prevent corn from rising to a price so high, that the prevention could not be deemed by any man to be unimportant. For himself he must say, that, if ever there was a case in which the excesses of men in distress were to be pitied, it was in the case to which the hon. member for Dorsetshire had alluded. They were excesses produced by excess of misery. Not a symptom of bad feeling had been evinced, until the mistaken notion entered their heads of destroying the power-looms, to which they fancied their distress was attributable. Under these circumstances it would have been extreme and miserable cowardice on the part of his majesty's government, to have abstained from proposing a partial remedy for the evil, lest their motives should be misrepresented. The course which government had taken, in order to suppress the outrages which had occurred in the manufacturing districts, proved that they were not under the influence of fear; for, on the first appearance of them, they had poured into those districts a body of troops sufficient to protect all good and terrify all ill-disposed persons. He was sure, therefore, that nobody who rightly considered the matter would attribute the concessions which government were inclined to make to the suffering subjects of his majesty, as the result of any timid or unworthy policy. The hon. member for Dorsetshire had desired ministers not to talk to him about the solemn nonsense of moral effect. Who had used the phrase he did not know; but, if the effect of the measure were to soften any exasperation of feeling which existed in the manufacturing districts—if it tended to prevent agitators from turning that exasperation into any political purpose—he should not be inclined to shrink from the term which had been used. On the contrary, he should be prepared to contend, that government would not be acting wrongly in consulting the feelings of those with whose interests it was charged. With reference to the reflections which had been made by the hon. member for Dorsetshire on the petitions which had been received from the manufacturing districts against the Corn-laws, they had not reflected upon the landlords, and therefore there was no occasion for the hon. member, as one of that class, to reflect so strongly upon them. Why the hostility of the landlords should be so strongly directed against this measure, he could not well understand, for he believed no measure was better calculated to promote their interests. He contended, that in the report of 1821, and more especially in the report of 1822, on the agricultural distress, there were many resolutions calculated to pave the way for a permanent revision of the Corn-laws, and for placing them on a very different system from that on which they were placed at present. He said that, under such circumstances, the country gentlemen could not take a course better calculated to prejudice them on any future consideration of the Corn-laws, than that which they were taking at the present moment. He hoped that many gentlemen of that class would take the advice which had been tendered them by his hon. friend the member for Brecon—advice which reflected the greatest honour upon him. His hon. friend was as deeply interested in the question as any member whom he then addressed — but his hon. friend had frankly declared, that if this bill were passed to a second reading, he would support it, and would move for a modification of it in the committee. He hoped that his example would be followed by other country gentlemen; and that those of them who had no pressure from without, owing to existing circumstances, to which he need not more particularly allude, would give to government the power of doing great good, without the possibility of doing by it the slightest harm.

Lord *Clifton* hoped that this measure would be merely temporary, but felt himself bound, in the choice of evils, to vote with ministers. From every information he had been able to collect from the best informed persons, he believed there was no probability of any scarcity, much less of any famine taking place in the country before the next harvest. So far was he from thinking that there was any "solemn nonsense" in the moral effect which this measure was described as likely to produce, that it was on account of that very "moral effect" that he voted for it. No practical evil, he was convinced, would arise from it; and if it tended, in any degree, to satisfy the public mind, it was at any rate one advantage gained.

Mr. *Benett* declared the cause of the existing distress to be the recent tampering with the currency, and added his conviction, that it did not arise out of the Corn-laws. The relief which this measure professed to give to the manufacturers, would be inefficient, if it were not attended by a paper currency; besides, the letting loose the bonded corn, would be of no advantage to the destitute and unemployed manufacturers, unless it were given to them. The effect of the measure must be either to reduce the market price of corn or not. If it did reduce it, it would involve the agriculturists in distress without relieving the manufacturers, and thus it would ultimately prove destructive to the manufacturing interests by annihilating the home market, which was infinitely more valuable to them than the foreign.

Mr. *Wodehouse* said, he would certainly give his support to the proposition of the hon. member for Brecon, and allow the bill to be read a second time. Any objections to the detail could be much more conveniently urged in the committee.

Mr. *Stanley* gave notice, that in the committee on the bill, he would propose a clause that the local committees, upon producing certificates of their having bought the bonded corn let loose into the market for the purpose of distributing it among the distressed manufacturers, should be entitled to claim from the Treasury repayment of the duties paid upon it. In making this proposition, which would have the effect of localizing the relief afforded by government, he trusted he should have the assistance of the majority of the House.

Sir *E. Knatchbull* felt compelled to vote against the second reading of the bill. He had heard with considerable satisfaction the proposition which had come from the last speaker, but could not guess how far it would meet the approbation of government.

Lord *Milton* said, he was rejoiced to hear that the proposition of the hon. member had the approbation of the hon. baronet; but if the hon. baronet supposed the House could get through this question without some discussion on the Corn-laws, he would find himself greatly mistaken. The measures now proposed proclaimed to the world that the Corn-laws were laws which could not be permanent in this country. They were laws for fair weather, and whenever a storm arose, it became necessary to re-consider them. Honourable members must, therefore, if this measure passed, make up their minds to consider fully the whole question at an early period of the next session. He was not absurd enough to suppose that the Corn-laws were the sole cause of the existing distress in the manufacturing districts; but he had no hesitation in saying, that in one respect they had a great effect in producing it, and that was in the interruption which they gave to the commercial interests of our manufacturers with foreign countries. Honourable gentlemen might depend upon it, that the Corn-laws would be settled in one way or another before long. In his opinion they could only be settled in one way; and that was upon the principles of free trade. With respect to the measure more immediately before the House, he did not think that it would be of any effect; neither did he suppose that ministers thought it would be of any effect, except in preventing any aggravation of the existing distress. Ministers must, however, give him leave to say, that the time at which they had proposed this measure, had led, in certain quarters, to the opinion, that they had other views than those which they professed in proposing it. He was bound in justice to say, that he did not entertain such an opinion. —He gave ministers credit for the views which they professed to entertain—and hoped that they did not intend to let the present measures be merely insulated and temporary. He contended, that in whatever view this question was taken, it resolved itself at last into the amount of the burthens which the different classes of the community bore. Now, he maintained that the landed gentlemen formed that class of the community which had the least cause to complain of the burthens imposed upon them. [Hear, and cries of "No."] He said "Yes," for who were the chief cause, who the great instigators, who the main supporters, of the late war, which had imposed such a weight of taxation on the nation, but the country gentlemen? [Loud cries of "hear," from various quarters of the House, which was re-echoed back for some time, accompanied with cries of "No, no."] He should not be put down by cries of "No, no." He said it was "Ay, ay," and he defied and challenged the other side to prove that he was incorrect. The country gentlemen were the instigators, and the promoters of the late war. He did not say that, in so doing, they had acted wrongly. He knew that members of his own family had supported it as strongly as any persons; but he repeated, that it was the country gentlemen who had pledged themselves to expend life and fortune in support of that war. Now, what was the case? When the fortune became really affected—he said nothing of the life, by the diminution of two shillings, or even one shilling in the rent of the acre, they declared that they had already paid for that war in the direct shape of taxes, and ought not to suffer any further diminution of their income. Now, he could shew that the Corn-laws, which were the creature of the war, added 10*s.* a quarter to the price of every quarter of wheat grown in this country; and, as the consumption of the country amounted to 14,000,000 or 15,000,000 of quarters annually, they inflicted a taxation of 7,000,000*l.* annually, on the people of England, for the benefit of the landowners and of the landowners alone. Let the landowners controvert that position if they could; and when they could, then, but not till then, they might say, that they had expended their fortunes in support of the war. The plain fact was, and it was impossible to disguise it, that they had raised their fortunes, instead of having spent them, in the war; and they now endeavoured, by the operation of the Corn-laws, to keep up the high rents which they had contrived to get from their tenants during that period. In spite of all the opposition he might meet with in making such a declaration, he would contend, that the effect of the Corn-laws was, to inflict a heavy taxation on the people of England. It was not, however, in that view of the question that he considered the Corn-laws most impolitic. Their great impolicy was in their acting as a non-intercourse bill with the country. He would gladly support any measure that was calculated to relax the fetters which this bill imposed upon the country, and, conceiving that the present measure would have that effect, he gladly gave it his support.

Mr. Secretary *Peel* regretted very much that the noble lord had made a speech, which, with whatever good humour it might have been delivered, was, in consequence of the introduction of some topics, calculated to interrupt the temperate and moderate course in which the debate had hitherto proceeded. An opportunity had been taken by the noble lord to involve the House in a very important discussion, which, however fit for consideration on another occasion, was certainly rather ill-timed on the present [cheers, with cries of "no, no!"]. When he heard it preferred as a charge.—

Lord *Milton*.—Not as a charge.

Mr. *Peel* continued.—Well then, when he heard the landed interest referred to as having supported the government at an arduous crisis, he felt that they had a right to look back to what they had done with conscious pride and satisfaction, considering the glory their country had acquired, and the services they had rendered it. Though he supported with the greatest cordiality a measure opposed by many of the country gentlemen, he yet felt it his duty to vindicate them from a charge to which he felt they were not obnoxious. The noble lord said, they were unwilling to submit to the reduction of their rents and their extravagant profits. It was not more than three or four years since agriculture had been suffering great distress, and during the whole interval the price of corn had not been such as to afford any exorbitant rent. In fact, the agricultural interest was now only just recovering from the depression of 1821. He was not disposed to go at length into the general merits of the measure before the House. These had been already ably discussed. With respect to the two suggestions of the hon. member for Brecon and the hon. member for Wootton Bassett, he was not able, at that moment, to form an opinion; and he requested the House to give them a deliberate consideration before they adopted them. The present measure appeared to him more fit than any other for the exigency, as it left every thing else indefinite, and purposely avoided any intimation of opinion with regard to the general question. Another suggestion made by an hon. gentleman was one that required very serious deliberation. He had no doubt it originated in the best intentions, but he saw many difficulties in the way of its being carried into execution. He would not then go into the question, whether public aid ought to be granted to the distressed manufacturers. But he would state his opinion, that if aid was to be granted, the direct course was to be preferred. Many objections arose as to the details of this proposition. The remitting of the duty on the corn taken out of bond, for the relief of the distressed, would give a preference to those places which were in the neighbourhood of the warehouses where the corn was lodged. Those who were distant from the ports would not have the same opportunity of benefitting themselves. Another objection was, that it would give a premium to the purchase of bonded corn. It was desirable, however, that the home grower should stand at least on the same footing with the holder of foreign corn. On any future occasion the same course would, in all probability be called for. He would therefore rather that direct aid should be given from the Treasury. He had never given a vote in that House with a more perfect conviction that the measure he supported was not only favourable to the general interests of the community, but he wished it to be distinctly understood, that he considered it to be expressly and mainly for the interest of the agriculturist, concurrently with all the other great interests of the country. There were three courses which the House might pursue. The first was, to enter on a general discussion of the whole question; but, on that point, the House had thrice decided, and he therefore did not think it necessary to consider that. The other two courses were either to leave things as they were, or to pass the bill; and he was prepared to contend, that to pass this bill was more conducive to the advantage of the landed interest than to leave things as they were. If this bill was passed, what would be its effect, in case corn did not rise? None, for then it could not come into operation. In case corn did rise, it would provide against an emergency calculated to cause much evil in the country. Taking the average price of corn during the last twenty-five years, it was evident that the chances were not so few, as to make it certain that such a contingency would not arise. Looking upon the situation of the country, it was evident that some preparation ought to be made; for a new parliament was of necessity to assemble soon. In case the emergency arose during the dissolution, how was the executive government to proceed, if a state of distress like the present should arise? The distress of the present moment was owing to the glut of the market, caused by the over speculation of last year; and that a state of distress might again arise, none could attempt to deny. The probability of it was evident from the average prices of corn during the last twenty-five years; in sixteen years of which it had exceeded 70*s.* per quarter, and in eight of which it had been more than 90*s.* Was not this contingency to be guarded against? The remedy for the evil was not to be procured at the moment. It ought to be provided before-hand. As to the amount of corn imported during that period, he found, by consulting the returns, that during nine years of those twenty-five, the quantity imported had been more than 9,800,000 quarters, making an annual amount of about 1,100,000 quarters, which left for each quarter of the year about 290,000 quarters. Now, the amount of foreign corn and flour in the warehouses, did not exceed 290,000 quarters, and the whole contingency of importation of which so much apprehension had been excited, did not amount to more than 800,000; a quantity of trifling amount compared with the annual consumption. What measure, therefore, could be more advantageous to the agriculturists than the present, which would prevent the possibility of having recourse to dangerous and sudden importations during the summer, and would render it imperative on a new parliament to enter upon that important topic? He disclaimed for himself and his colleagues all motives arising from fear, alarm, or distress. They were actuated by far different feelings—by the necessity of preventing a scarcity of food in the country, as well as a hasty decision of the Corn-laws from being made. By giving to the government the power which it sought for at present, the country gentlemen would place those laws beyond the reach of any sudden alteration, and would enable themselves to enter next year, into a fair and full discussion of them.

Mr. *H. Sumner* said, that his main objection to this measure was, that it was not called for by circumstances of necessity. No case had been made out for it, and any inference to be drawn from the state of the markets was unfavourable, rather than favourable, to it. It was now said, that it was not so much the amount as the invariability of duty which was the desired object; but was the letting of the bonded corn into the market a means of securing steadiness of price? Quite the contrary. The price of corn had never been so unvarying as for the last seven years, but this influx of bonded corn would generate great fluctuations in the price. He asserted, from a knowledge of the circumstances, that 50*s.* would not remunerate the grower of corn. He then entered into a defence of the country gentlemen against the charges which had been brought against them, and denied that any measures taken by them had contributed to bring the country into its present state. Injustice had been done that class of gentlemen, than whom there were not any men to whom the national character was more dear, or who felt more sensibly for the other interests of society. He concluded by declaring his determination to oppose this measure in every stage.

Mr. *Wharton* said, he belonged to what were called the country gentlemen in that House, and his object in rising was to defend them from the charges which had been brought against them. It had been said, that it was they who brought the country to its present state of distress by supporting the last war. For himself, he should say that he was not one of those who supported that war: on the contrary, he had always opposed it, and supported every measure which was calculated to hasten its conclusion. He was, therefore, innocent of all its consequences, and he hoped his country would acquit him of being accessary to its bad effects.

The House then divided: For the second reading 189; Against it 65; Majority 124.

List of the Minority.

Ashurst, W.
Bankes, H.
Barnard, visc.
Bastard, E. P.
Becher, W. W.
Belgrave, visc.
Benett, J.
Bond, J.
Burrell, sir C.
Burrell, Walter
Calcraft, J.
Cavendish, lord G.
Cavendish, C.
Chandos, marquis
Chaplin, C.
Corbett, P.
Corry, visc.
Cotterell, sir J. G.
Curteis, E. J.
Dawson, M.
Dickinson, W.
Duncannon, visc.
Fane, J.
Fleming, J.
Grant, J. P.
Gooch, T.
Gordon, hon. R.
Guise, sir W.
Gurney, R. H.
Harvey, sir E.
Handley, H.
Heron, sir R.
Honywood, W. P.
Hurst, R.
Ingilby, sir W.
Inglis, sir H.
Johnson, col.
Jones, J.
King, sir J. D.
Kingsborough, visc.
Luttrell, J. F.
Manners, lord C.
Marjoribanks, sir J.
Osborne, lord F.
Pollen, sir J.
Powell, W. E.
Pryse, Pryse.
Pym, F.
Rickford, W.
Ridley, sir M. W.
Rowley, sir W.
Sebright, sir J.
Sefton, earl of
Shaw, sir R.
Smith, Abel
Smith, hon. R.
Sumner, G. H.
Trant, W. H.
Tremayne, J. H.
Vivian, sir R.
Webb, E.
Westenra, hon. H.
Wharton, J.

TELLERS.

Knatchbull, sir E.
Lethbridge, sir T.

HOUSE OF COMMONS.

Friday, May 12.

CORN IMPORTATION BILL.] The House having resolved itself into a committee on this bill,

Colonel *Wood* said, he did not wish to obtrude his opinions upon the House, although those opinions remained unchanged. But he had a proposition, which, if it was the pleasure of the committee, he would submit. It was to this effect—that no import should take place until the average price of corn was 65*s.* But he would not press the motion contrary to the sense of the committee.

Mr. *Calcraft* suggested to his hon. friend the propriety of standing still. As ministers had taken upon themselves the responsibility, it would be better for the landed interest to leave the matter entirely in their hands. He did not think that circumstances would arise to call for the exercise of the power; but in case they did, it would be better that ministers should have the entire responsibility.

Sir *E. Harvey* said, he would not persevere in the opposition.

Colonel *Wood* then said, he should not press the motion, although his mind remained unaltered.

Lord *Milton* said, that the gentlemen who had spoken seemed to have withdrawn their opposition, in the hope that they should be thereby the better enabled to fight their battle. Whether this might be the case he could not tell; but he begged to guard himself against being supposed one of those who thought 65*s.* a fair import price. In consequence of the reduction of taxes which had taken place within the last ten years, 65*s.* was a higher price now than 80*s.* when the Corn-law was passed.

Mr. *Calcraft* warmly defended the landed interest from the continually recurring taunts and attacks of the noble lord. The Corn-laws were intended more to favour the production of corn in this country than to put money into the pockets of the landowners. He, however, was for a free trade in corn—he meant, of course, subject to a protecting duty.

Lord *Milton* disclaimed any intention of wounding the feelings of the landed interest; but he thought no class of persons had a right to hold themselves above the free observation of the members of that House. In the publications in defence of the Corn-laws, he had always seen them represented as being intended for the benefit of the landed interest. He had no hesitation in avowing, that he had changed his opinion with respect to those laws. He remembered, that in the first speech he had made on this subject, he had stated it as his opinion, that it was essential to the independence of the country, that it should raise all its food within itself. He now acknowledged that this ground had been cut from under his feet. If his hon. friend maintained that opinion, he ought, in consistency, to raise the import price to such a height as would completely exclude foreign competition. The agriculturists said, they only wanted a remunerating price. But, what did they mean when they said so? By a remunerating price they meant high rents for the landlord, and ample profits for the farmer [cries of "No, no!"]. Then, he asked, what they did mean? By a remunerating price, he repeated, they meant that ample profit should be secured to the farmer on the outlay of his capital. Now, that evidently depended on the amount of his rent. The whole question referred to the advantage of the farmers and landowners, or rather of the landowners entirely. A remunerating price, let it be considered as it might, resolved itself simply into the attainment of ample rents.

Mr. *N. Calvert* strongly objected to the conduct of the noble lord, in encouraging the cry against the landed interest.

The *Chancellor of the Exchequer* felt that when, by common consent, or, he should rather say, at the earnest request of the whole House, his hon. friend had withdrawn his intended amendment, this was not a fit occasion for an angry discussion of the general principle of the Corn-laws. Some expressions had certainly been used by the noble lord, which, he regretted to say, were calculated to produce feelings of irritation. He trusted, however, that this course would not again be pursued, as he was convinced, that the worst thing that could happen to prevent a fair and candid consideration of the Corn-laws at any future period, was to seize every passing opportunity, when that subject was touched upon, to excite the feelings of the country.

Mr. *Calcraft* said, that if, as the noble lord had stated, no class was to be so high as to be above animadversion, none was so low as to be deprived of defence. He would tell the noble lord what he understood by a remunerating price. It was three per cent on the purchase money, and five per cent on the capital expended on the land. Surely this was no such extravagant expectation.

Major *Maberly* objected generally to the principle of the Corn-laws, on account of their tendency to bring bad land into cultivation, and thereby render it impossible to know what was a remunerating price for the agriculturist.

Mr. *Maberly* wished to have a positive assurance from ministers, that the general question of the Corn-laws should be taken into consideration next year. All classes were equally and justly dissatisfied with their vacillating and uncertain policy.

Colonel *Wood* said, that the only understanding on which he had withdrawn his amendment was the general expression of the feeling of the House, that he should not go any further. He had no communication with any body on the subject. When he found such a general agreement, he was not so presumptuous as to persevere against the sense of the House. But if they wished him to proceed, there he was, with his amendment in his pocket, and his speech ready, as well as he could make one.

Sir *W. Ingilby* said, that although he understood the gentlemen of the landed interest had compromised this subject with his majesty's ministers, he for one could not give his assent to any such arrangement. If, however, he was, from a conviction of the impolicy of such arrangement, disposed to oppose it, he was still more confirmed in his opposition by seeing the hon. member for Brecon, to whom the agricultural interests seemed to have confided their case, come down with an amendment ready cut and dry in support of such an arrangement. For his part, he could not feel himself justified in bartering away the interests of one of the largest agricultural counties in England, without the most unquestionable proof of its necessity. The farmers of that county were in a state of the greatest terror and alarm, from the impolitic, mischievous and useless, agitation of the corn question at the present moment—a time of all others the least fitted for attempting any of those perilous changes which must be produced by persisting in the course they were called upon to adopt. No prudent government ought, indeed, to have proposed measures likely to excite so much agitation in the present state of the country. At a moment when the bankers, merchants, manufacturers, and the great mass of the people were suffering the greatest evils, and almost plunged into despair, from the losses of the past and the prospect of the future—at that moment, ministers, to increase the evil, and extend the calamity, chose to throw the agricultural districts into alarm and dismay, by a project which could be productive of little benefit to those whose interests they professed to consult, and which must entail certain destruction on the devoted farmers. He would propose an amendment, which, in his opinion, would at once give an instantaneous relief to the distressed, and save the landed interests from dangers which threatened them. The hon. baronet concluded by proposing, that the sum of 20*s.* be paid upon all wheat now in bond, and that the duty thus levied be applied towards the relief of distressed manufacturing districts.

The *Chancellor of the Exchequer* said, that this amendment could not, by possibility, form part of the present bill. The hon. baronet had mistaken it for the warehoused corn-bill, which stood the next on the orders of the day.

Mr. *Portman* said, he would not press his motion for a minimum or maximum of price. He preferred throwing the whole responsibility on the shoulders of ministers.

The House then resumed.

WAREHOUSED CORN BILL.] On the order of the day for going into a committee on this bill,

Mr. *Benett* moved, that the House should resolve itself into a committee, to take into consideration the act of the 3 George 4th ch. 60, for the purpose of altering the amount of duty specified in the present bill, from 13*s.* to 17*s.* per quarter. The duty appointed by the Corn-laws, at the time of their passing, had been 17*s.* He could see no reason why it should be lower now. The amount of the difference of the duty of 17*s.* instead of 12*s.* on the corn at present in bond, would be, at 5*s.* per quarter on 300,000 quarters 75,000*l.*, a sum which, he contended, ought rather to be given to the relief of the distressed manufacturers, than allowed to be put into the pockets of gamblers and speculators in corn; it would afford no inconsiderable relief to the distressed manufacturers, if that sum which could be raised on the country, could be given to them, and not to the corn dealers. He hoped that the hon. members who supported economy and retrenchment would support him, as he had done them on many occasions.

Mr. *Portman* said, if he thought that the admission of the bonded corn at a duty of 12*s.* would be ameans of affording more effectual relief than if the duty was higher, he would oppose this amendment; but believing otherwise, and thinking that the difference would only go into the hands of corn-dealers, he should support it.

Mr. *Huskisson* repeated the statement which had been already made, that the reason for fixing the duty at 12*s.* was because that was the rate of duty according to the Corn-laws as they now stood. The additional 5*s.* was merely a temporary duty, imposed for the purpose of restraining the excessive importation which might otherwise occur within the first three months. But this, which was the very object of the 5*s.* duty, did not apply to the case of bonded corn, where the quantity was fixed. He deprecated the reflections which the hon. member for Wiltshire had made on corn-dealers. They were merely in the situation of any other persons who bought and sold, and were justified in deriving the best profits they could from their merchandise. The hon. gentleman had applied to them the terms speculators, gamblers, and he knew not what other opprobrious designations. Such imputations were unjust. There was not a more useful, a more respectable class of traders. The hon. gentleman had surely not considered the peculiar circumstances in which they were placed. A considerable quantity of the corn now in bond had been imported in the year 1822, a part in 1823, a part in 1824, and the remainder in 1825. The price at Rotterdam, of wheat similar to that now in bond, was 35*s.* 6*d.* the quarter; and if to this was added the freight, the loss by waste, the duty of 12*s.* and other charges to which the corn-importer was liable, their profits could not be very extravagant. If the hon. gentleman recollected further, that if they brought out their corn under this bill it must be before the 15th of August, it was evident that if the duty was fixed at so very high a rate, the corn-dealer might very much to the detriment of the country, choose to run the risk of keeping his corn in bond, in the hope that the ports would be regularly opened. Therefore, looking to all the circumstances of the case, recollecting that the law as it now stood only imposed a duty of 12*s.*, and that the 5*s.* duty was only for a temporary purpose, he thought the House would not be induced to retard the progress of this bill by going back into a committee.

Mr. *Baring* said, that if he thought the duty of 17*s.* would have the effect of making the price of bread one farthing dearer, he would oppose the amendment of his hon. friend. But he was satisfied that the difference would only go into the hands of the corn-dealers—a most respectable class of men, undoubtedly—but nevertheless by no means entitled to such a bounty as this would be. The duty of 17*s.* while it would not enhance the price of bread, would bring a sum of money into the Exchequer. The government had proposed 12*s.*, and it was for them to make out that this was the fit duty. They said it was the duty according to the present law: he said it was not; for if corn were to come into the country under the present regulations, it would pay a duty not of 12*s.* but of 17*s.* The right hon. gentleman had said, that corn at present, or recently, was selling at Rotterdam at 35*s.* 6*d.* He, however, felt confident that persons taking corn out of bond under this bill could replace it at a price under 30*s.* The letters from Liverpool which the right hon. gentleman had read on a former occasion, stated the price, before these discussions, at 32*s.* This corn, with a duty of 12*s.*, could be brought into the market at 44*s.*, which would give an enormous profit. By adding the 5*s.* to the 12*s.* duty which the ministers proposed, he did not think that the House could be charged with acting unfairly. He regretted the necessity of these special interferences with the Corn-laws. There was a great want of a permanent law. These casual alterations gave rise to gambling; and if the system should be continued, he had no hesitation in saying, that it would give rise to a great deal of corrupt gambling. It was right that the importers should have a reasonable benefit; but this they would have if the duty was 20*s.* a quarter. If ministers should persist in fixing the duty at 12*s.*, they would have an amount of profit, which was quite absurd and useless. He should think that the duty ought to be that which would be paid, if corn was imported under the ordinary operation of the Corn-laws; but, at all events, it should not be less than 15*s.*

Mr. *Ellice* thought that, in the settlement of the duty, some regard ought to be had to the quality of the corn in bond. A great deal of it was of so inferior a description, that 12*s.* duty was as much as, at the existing prices, it could bear. He fully agreed with ministers in the propriety of postponing the general consideration of the Corn-laws until the next session. Until the operation of our late measures with respect to the currency was seen, legislating upon the Corn-laws would only be legislating in the dark.

Mr. *T. Wilson* denied that the dealers in corn deserved the aspersions which had been cast upon them.

Mr. *Whitmore* thought it would be impolitic, as well as ungracious, to lay on a higher duty than the 12*s.* With a higher duty, the price obtained would hardly remunerate the original importers.

Mr. *Monck* agreed entirely with ministers in postponing the general discussion of the Corn-laws to the next session; but he merely concurred in this postponement, on account of the change which had been made in the state of the currency. He trusted that now, when country gentlemen saw that ministers could not, or would not, protect them in their high prices, they would direct their attention to a more legitimate source of wealth—a reduction of the burthens of the country.

The amendment was negatived. The House having resolved itself into a committee, the clause imposing a duty of 12*s.* was agreed to.

Mr. *Stanley* said, that he had no reason to change the opinion which he had formerly expressed upon the subject under discussion. He was quite sure that the present measure would be productive of little permanent benefit. He nevertheless thought that as it had been held out as a means of affording a temporary relief, it would be ungracious now to stop short. With a view, however, of rendering that relief as extensive as possible, he should propose a clause, that on a certificate from the chairman of any local committee for the relief of the distressed in the manufacturing districts, that a quantity of bonded corn had been purchased for the relief of the distressed districts, government should remit to the committee a sum of money equal to the amount of duty paid upon that corn, to be employed in the further business of relief.

Mr. *Huskisson* objected to the proposed clause. He thought that the hon. gentleman's late visit to Lancashire had made so great an impression on him as to induce him to confine his view of this subject to the distress in that neighbourhood alone. But there were other parts of the country which felt the pressure, and which were quite as much manufacturing districts. Shropshire, Warwickshire, Somersetshire, Gloucestershire, Nottinghamshire, the whole of the west, and great part of the north-east coast of Scotland, ought properly to be called manufacturing districts; and it would be very difficult to extend to them the relief which the hon. member's measure was meant to afford. If any such power as that which the hon. gentleman proposed, should be given to the charitable committees, it must be universal. A committee in the west of England purchasing corn in their own markets would be as well entitled to the allowance as that which was under bond. The immediate effect of the measure would be to interfere with the poor-rates; and it would be impossible to put it into practice without an inquiry into the relative proportions which certain districts bore in this respect to others. He knew, from good information, that at Manchester the poor-rates were considerably less than in many other places where similar distress prevailed. If, therefore, relief were to be given under the proposed clause, it should be given with a view to this difference. In the county of Sussex, with which he was connected, and where there were nothing like manufactures, but where distress prevailed, in consequence of excess in the agricultural population, the poor-rates were four times as much in amount as in some parts of Lancashire. He was very reluctant to acquiesce in any change in the system of the poor-laws; because, objectionable as they might be, and subjected as they were to abuses of various kinds, they were calculated to afford the most essential relief during those periods of distress to which the manufacturers of this country were occasionally exposed. He was convinced it was better to trust to a system, the efficacy of which had been tried, than to hazard an experiment which was objectionable in its principle, and difficult, if not impossible, in practice.

Sir *John Wrottesley* objected to the bill generally, and expressed his conviction, that if the currency had not been interfered with, the present distress would not have existed. He was sure, also, that if an immediate return to the former system was not adopted, still greater distress would be felt.

Mr. *Peel* opposed the clause, on the ground that it was likely to afford opportunities for numerous frauds, and that it would not reach the distress of the interior of the country, without doing, at the same time, considerable mischief. He objected to it also on the ground, that if any public aid should be granted, it would afford a precedent which would always be resorted to, and the amount of the tax on corn would always be looked to as a fund for relieving any temporary distress. He was particularly desirous of avoiding any thing that might prejudice the general question of the Corn-laws.

The clause was withdrawn. After which the report of the committee was brought up.

NAVIGATION LAWS—STATE OF THE SHIPPING INTEREST.] Mr. *Huskisson* rose, and spoke, in substance, as follows:*—

Sir:—In the course of the last session of parliament the hon. member for Grampound (Mr. Robertson) frequently took occasion to indulge himself in certain oracular denunciations, foreboding the ruin of this country, as the result of the commercial and foreign policy of the government. At that period the commerce of the country, it must be allowed, was at least sufficiently active, and the demand for mercantile shipping greater, perhaps, than had ever before occurred. Whether from these circumstances, or from the solemn tone of mystery in which the hon. member's denunciations were delivered, they did not, at the time, make any considerable impression, either in this House, or out of doors.

Recently, however, a variety of petitions has been presented to parliament, from persons connected with the port of London, and with several other commercial towns, expressing their apprehensions, that the shipping interest is in a state of decay, and that the foundations of the prosperity and security of the country are, in consequence, likely to be undermined. When such impressions have been created in quarters where the authority of the petitioners, so far as their observations go, is entitled to the greatest consideration, I trust that no apology will be requisite, for claiming the attention of the House—or at least of that portion of it, who are now present—to a subject of such vital importance to the maritime power and greatness of the country. I am well aware of the reluctance which hon. gentlemen must feel to a statement, from its nature, necessarily dry and tedious; but, I am also aware, that the matter involved in it is of too much importance not to demand the deepest attention; for, if the fears expressed in the petitions on the table of the House be well-founded, it is scarcely necessary for me to say that the sooner an inquiry takes place the better.

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The House, Sir, is aware, that our navigation laws have a two-fold object. First, to create and maintain in this country a great commercial marine; and secondly—(an object not less important in the eyes of statesmen)—to prevent any one other nation from engrossing too large a portion of the navigation of the rest of the world.

Acting upon this system, the general rule of our policy has been to limit, as much as possible, the right of importing the productions of foreign countries into this country, either to ships of the producing country, or to British ships.

There certainly have been exceptions to this general rule, but it is the broad principle upon which the navigation system of this country was founded; and it is obvious, that the motives for adopting that system were, first, that such portion of the carrying trade of foreign countries as does not devolve to British shipping should be divided, as equally as possible, amongst the other maritime states, and not engrossed by any one of them in particular; and secondly, that countries entertaining relations of commerce with this country, and not possessing shipping of their own, should export their produce to England in British ships only, instead of employing the vessels of any third power.

But, when I state that the first object of our navigation system was to create and uphold a great commercial marine, I think I may add, without fear of contradiction, that that object could not have been effected solely by regulations, restrictions, or prohibitions, however judiciously devised. The only true and durable foundation of a large commercial marine is to be laid in the means of affording to it beneficial employment. Without such employment—without, in short, extensive commerce, and great capital, to sustain and invigorate that commerce—no laws, merely protective, will avail. Whatever, therefore, contributes to extend the general commerce of the country must, incidentally —I may almost say directly,—contribute also to improve and extend its navigation. These two great elements of our power and wealth are, of necessity, closely and intimately connected. I do not mean to say that their interests are always identified. I know they are not so. I know full well, that every thing which interferes with the freedom of commerce is more or less disadvantageous to the capitals which are employed in it. I am ready to admit, as consistent with this general principle, that the regulations of our navigation system, however salutary they may be, must, more or less, act as a restraint on that freedom of commercial pursuit, which it is desirable should be open to those who have capital to employ. I am, however, at the same time, bound to say, that those regulations are founded on the first and paramount law of every state, —the highest ground of political necessity,—the necessity of providing for our own safety and defence; the necessity of being prepared to afford security to our numerous colonial possessions scattered throughout all the seas of the world; the necessity of protecting the different branches of our widely-spread commerce, against all the risks attendant on a state of war; and lastly, the necessity of preserving our ascendancy on the ocean, and thereby sustaining the high station in the rank of nations, which that ascendancy, more than any other circumstance, has given to this country.

Entertaining these opinions, I am as ready as any man can possibly be, to say that it is our duty, on all occasions, to look to the peculiar nature of this state necessity; and that, whenever the interests of commerce and navigation cannot be reconciled, the feeling which ought to be uppermost in our minds should be (I, Sir, have no hesitation in stating it to be my feeling), that the interests of commerce, in all such instances, ought to give way, and those of navigation to have the preference.

I trust that I have, in this brief statement, now placed myself fairly before the House. And, if the measures recently adopted by his majesty's government have laid this country open to the danger with which, according to some, it is threatened, certainly I have imposed on myself no light task, in attempting to vindicate and defend those measures.

I begin with laying it down as a general position, that, in looking to the interest of the ship-owner, we ought not to cramp commerce beyond the degree which state necessity requires for the protection of our navigation. I say that, apart from the considerations upon which the navigation laws were founded, we are bound not to depress one branch of industry, in order to give undue encouragement to another.

The questions, therefore, which we have to consider are these—

First; whether the alterations which have been made in the system of our navigation laws have or have not exposed the great public interests, for the support of which that system was established, to jeopardy and hazard?

Secondly; whether those alterations are such as to have placed any particular branches of the shipping interests of the country in a situation of difficulty, such as to entitle them to specific consideration?

Thirdly; whether, in the alterations which have been adopted, his majesty's government have been actuated by a mere gratuitous desire to make experiments, and to try the effect of innovation; or whether those alterations, even if attended with some inconvenience to particular interests, were not called for by circumstances, in order to obviate greater inconvenience which might have arisen to the general interest if we had rigidly persisted in the course which we formerly pursued?

Now, Sir, before I join issue with those who call in question the necessity or expediency of the alterations which have been made in the system of our navigation laws, the House will, perhaps, permit me shortly to recall to their recollection the principal outlines of that system; a course which is necessary, in order to mark more distinctly the alterations which have been made in it.

The great charter of the Navigation system of this country is the act of the twelfth of Charles the second. The different modes which that act provided for the encouragement of shipping, may be arranged under the five following heads:

First, the *Fisheries.* The ocean is a common field, alike open to all the people of the earth. Its productions belong to no particular nation. It was, therefore, our interest to take care that so much of those productions as might be wanted for the consumption of Great Britain, should be exclusively procured by British industry, and imported in British ships. This is so simple and reasonable a rule, that, in this part of our navigation system, no alteration whatever has been made; nor do I believe that any will ever be contemplated.

The *second* object which the navigation laws had in view was, to give to the shipping of this country, employment in what is called the coasting trade. When those laws were first passed, that trade was confined to England only, but, since we have become legislatively united with Scotland and with Ireland, it has embraced the whole of the British islands. In this important part of our policy also there appears to be no motive for alteration. I shall, therefore, dismiss it with a single observation. The law, in this respect, remains unchanged, and will remain unchanged, so long as we have a desire to maintain a great commercial marine.

The *third* object of our navigation system was the *European trade.* The rule laid down, with regard to that trade, was, that the ships of the other states of Europe were to be at liberty to bring, from any port in Europe, any article of European production, with the exception of certain articles, since known in trade by the name of the "enumerated articles." They amount in number to twenty-eight, and include those commodities which, being of the most bulky nature, employ the greatest quantity of shipping. With respect to these "enumerated articles," the exception was this; that they should not be brought to our ports in any other than British ships, or ships of the country in which they were produced, proceeding directly from such country to this. This was the general state of the law in respect to European commerce from the time of its enactment in the twelfth of Charles the second, down to a recent period. Its provisions, however, were more rigorous and exclusive towards Holland and the Low Countries. The regulations of that period were not framed merely for the preservation and encouragement of our own commerce, but also to weaken the powerful marine of Holland. Guided by this policy our ancestors applied more severe measures towards the Dutch than they thought necessary towards any other nation. In this spirit it was, that they prohibited the importation, generally, of the productions of the other countries of Europe from Holland; instead of confining that prohibition to the twenty-eight enumerated articles.

The *fourth* object of our navigation system was to regulate our *Commerce* *with Asia, Africa, and America.* The rule of law on this head was, that no article, the produce of either of those three quarters of the globe, should be allowed to be brought into an English port, except in a British ship.

The *fifth* and last part of the system of our navigation laws related to our colonies. The principle on which we acted towards those colonies was strictly to confine them, in all matters of trade, to an intercourse with the mother country. They were not allowed to dispose of any of their produce, otherwise than by sending it in British vessels to this country. They were equally restricted from receiving any articles necessary for their consumption, except from this country, and in British bottoms.

This, I apprehend, is a fair summary of the main points of encouragement to the shipping interest of Great Britain, and of repression of the shipping of other states, aimed at by our navigation laws, as those laws existed from the twelfth of Charles the second down to the year 1783. In mentioning this latter period, I advert to it now as the commencement of that mighty change in the state of the world, the foundation of which had been then laid in the progress, and unfortunate issue, of the American war. But, before I state what that change has been, so far as relates to navigation and commerce, I shall, perhaps, be permitted briefly to notice some of the circumstances which had prepared the way for this calamitous contest: the result of which, as I shall show presently, rendered the revision of our navigation system a matter no longer of choice but of necessity;—a result, which, in its consequences, in less than half a century, has dragged after it nearly the whole colonial system of the old world.

Sir, the war which began in the year 1756, commonly called the Seven Years' War, was, strictly speaking, so far as relates to this country and to the Bourbon governments of France and Spain, a war for colonial privileges, colonial claims, and colonial ascendancy. In the course of that war, British skill and British valour placed in the hands of this country Quebec and the Havannah. By the capture of these fortresses, Great Britain became mistress of the colonial destinies of the Western world. What use we made of our successes in that quarter, I will not now stop to inquire.

But if the proceedings of the government of this country, after the peace of 1763, be closely examined, we shall find, that many of the causes which, ten years afterwards, led to the unfortunate rupture with our then colonies, now the United States of America, may be traced to our unseasonable attempts to enforce, in their most rigid and exclusive application, our colonial and navigation system. Every complaint, every petition, every remonstrance, against the oppressive tendency, and vexatious consequences, of that system, on the part of the inhabitants of New England,—every temperate effort made by them to obtain some slight relaxation of the trammels that shackled their disposition to engage in commercial enterprise,—were only met, on the part of the British government, by a constant succession of new laws enforcing still more restrictive regulations, framed in a spirit of still more vexatious interference. One instance of the character of that legislation will be sufficient; and I give it, as a slight specimen of the commercial jealousy which prevailed in our councils, in reference both to the colonies and to Ireland.

A ship from our American possessions, laden with their produce, was stranded on the coast of Ireland. It will naturally be supposed, that the cargo was landed, and the ship repaired, in that country. No such thing. The law compelled the owners to send another English ship from England, for the purpose of bringing away the cargo — a cargo which, not improbably, might then be wanted in the Irish market, and which was, perhaps, destined to be ultimately consumed there, after having been trans-shipped in a port of that country, landed in an English port, and again re-shipped to Ireland.

This is a sample of the real grievances under which our American colonies laboured. Such a state of law could not fail to engender great dissatisfaction, and much heart-burning. It is generally believed, that the attempt to tax our American colonies without their consent was the sole cause of the separation of those colonies from the mother country. But, if the whole history of the period between the year 1763 and the year 1773 be attentively examined, it will, I think, be abundantly evident, that, however the attempt at taxation may have contributed somewhat to hasten the explosion, the train had been long laid, in the severe and exasperating efforts of this country, to enforce, with inopportune and increasing vigour, the strictest and most annoying regulations of our colonial and navigation code. Every petty adventure in which the colonists embarked was viewed by the merchants of this country and the Board of Trade of that day, as an encroachment on the commercial monopoly of Great Britain. The professional subtlety of lawyers, and the practical ingenuity of Custom-house officers, were constantly at work, in ministering to the jealous, but mistaken views of our seaports. Blind to the consequences elsewhere they persevered in their attempts to put down the spirit of commercial enterprise in the people of New England, until those attempts roused a very different spirit;—that spirit which ventured to look for political independence from the issue of a successful rebellion.

The result is well known. The country found itself engaged in a civil war. That war, in its progress, involved us in the greatest difficulty and embarrassment. It was terminated by submitting to humiliations such as, I trust to God, the Crown of Great Britain will never again be exposed to.

America was not the only part of our dominions in which we were called to pay the penalty of humiliation. Ireland, towards which we had acted in the same spirit of commercial jealousy as towards our American colonies, took advantage of our difficulties, and refused any longer to hold her industry and trade subject to our system of exclusion. To the Parliament and Volunteers of Ireland we had also to capitulate. If the capitulation was mortifying to the pride of England, fortunately it neither compromised our honour, nor involved any concession beyond what was strictly a debt of justice to Ireland. The benefits of our commercial and navigation system were extended to her. She was permitted to trade direct to the colonies, and placed rather upon the footing of a partner than that of a dependent, in the concerns of the British empire.

If I have gone into this detail, I have done so because it appeared to me necessary, as bearing in a peculiar manner upon the question now before the House. The immediate lesson which I draw from it is this—that it is a part of political wisdom, when danger is foreseen, not supinely to wait for its approach, but, as far as possible, to take timely measures for its prevention.

The peace with America gave the first great blow to the navigation system of this country. There had now arisen an independent state in the New World. Our colonies had fought for, and had taken, a station in the rank of nations. They had now interests in navigation to attend to, and a commerce of their own to protect. It therefore became imperative on this country, unless we were prepared to relinquish all trade with America, to conform to circumstances. It was impossible for us, in this new state of things, to enforce the system of our navigation laws, which, until then, we had so rigidly insisted upon. That part of the system which provided, that none of the productions of Asia, Africa, or America, should be imported into England, except in British vessels, could no longer be adhered to.

After the peace of 1783, and before the general congress of America had established that system of government under which the people of the United States now live,—a work which was not completed until the year 1787,—each of the different states then composing the union was at liberty to act independently of the others, in matters relating to its trade with foreign countries. Accordingly, almost every state established a different rule of commercial intercourse with this country. The general character, however, of their legislation was conceived in a spirit of peculiar hostility (not unnatural, perhaps, so soon after the exasperation excited by civil discord) against trade with Great Britain. In some of those states, indeed, British merchants were prohibited from trading with them altogether: in others, heavier duties were specifically imposed upon British merchandise; and in all, a desire was manifested to give a decided preference to the goods of other countries.

This state of things continued until the year 1787, when the general congress met, and one uniform system of commercial policy was laid down. By that system, a heavy blow was aimed at the navigation of this country. It was resolved, that all foreign ships trading to America should pay half a dollar,—which was afterwards raised to a dollar,—per ton duty, beyond what was paid by national ships. And further, that goods imported in foreign vessels should pay a duty of ten per cent, over and above what was demandable on the same description of goods imported in American vessels.

This system—in the adoption of which, the Americans had, in a considerable degree, followed the example of their English ancestors — was likely to become seriously prejudicial to the commerce and navigation of this country. The proper authorities, therefore, set about considering what was to be done in order to counteract it. The Board of Trade had recourse, for advice, to the most eminent merchants and practical men; and various projects were started on the occasion. One plan proposed to give a bounty on all goods exported to America in British ships. Another, to impose a duty on all articles carried out of this country in American ships. A third, to retaliate upon the Americans, and, following their example, to lay a specific duty on American ships, and on goods imported in those ships. These and various other plans, having the same object in view, on being sifted and examined, were found to be open to insuperable objections. It was shown that, without attaining their object, they would prove injurious to the commerce and manufactures of this country; and all of them were, in consequence, abandoned.

After this inquiry, and a long struggle to counteract the navigation system of America, without in any degree relaxing our own, this country found it necessary to adopt the system of reciprocity, on which, since the year 1815, the commercial intercourse between the two countries has been placed; namely, equality of all charges upon the ships belonging to either country in the ports of the other, and a like equality of duty upon all articles the production of the one country, imported into the other, whether such importation be made in the ships of the one or the other. In the practical consequences of this arrangement, our adherence to another part of our navigation laws, instead of serving, appears to me to have shackled the shipping interest of this country. Our law still provides that goods, the produce of Asia, Africa, or America, shall not be imported in foreign ships, unless they be the ships of the country of which the goods are the produce. The Americans retaliate this restriction by applying it to all goods the produce of Europe. An American ship trading to this country has, in consequence, a great advantage over a British ship trading to America. The American vessel, on her voyage to England, is freighted with a cargo wholly produced in the United States. She has nothing else to bring here. For her return to America she may load in the ports of this country with a cargo, partly the produce or manufacture of Great Britain, and partly of any other country. The British ship is debarred from this advantage. Her cargo, when trading to the United States, must be exclusively of British origin. For instance, an American vessel, at the port of Liverpool, may take nine-tenths of her cargo, in articles the produce of Lancashire, and the remainder may be made up of brandies, wines, or the produce of any other part of the world, to be procured at Liverpool. But, if an English ship, proceeding to the United States, were to take a single cask of brandy, or a single pipe of wine, she would be liable to seizure and forfeiture. Is it not, therefore, fairly to be presumed, that a further relaxation of our system, to the extent of allowing the importation, from the United States, of goods, the produce of any part of the world, in American shipping, on condition of the like privilege being granted to British ships in the ports of the United States,—however departing from the policy of our ancestors,—would be rather an advantage than an injury to the shipping interest?

Shortly after the commercial legislation of the United States had assumed, in 1787, a regular shape, and an uniform character, the war of the French Revolution broke out; a war which lasted nearly a quarter of a century. The course of this war was marked by so many strange and anomalous circumstances, both by land and upon the ocean;—so large a portion of the continent of Europe, including nearly all its trading and maritime communities, became subjected to the despotism of one great military power;—that despotism was exerted in so extraordinary a manner to crush maritime commerce;—that it would be vain to enter upon the history of our navigation system, or of that of other countries, during this long contest. It is, however, certain that the commerce of the United States of America, which were the only, at least almost the only, neutral power that could trade in safety, was greatly benefitted by the war. It is equally true, that Great Britain, being well able to protect her commercial marine, in consequence of her vast naval superiority, did extend that commercial marine, in spite of all difficulties, whilst that of the other countries of Europe was greatly reduced. It is unnecessary for me, as the facts are so well known, to dwell further on the circumstances of that war. We may, therefore, as far as relates to the present question, pass over the period between 1792 and 1815.

At the latter period, peace being restored, and with it, the independence of the states which had been incorporated with France, the commerce of the world began to revert to its ancient channels. The nations of Europe whose flags had, for so long a series of years, disappeared from the ocean, were now naturally anxious that their own trade should be carried on in their own ships. This gave a check to the shipping of the United States, which was also felt by the shipping of this country. Perhaps in a greater degree by our own shipping, in consequence of the restitution of several extensive and valuable colonies, which we had captured and held during the war.

Besides this material circumstance, there were others, to which I will briefly advert, which had a natural and inevitable tendency to interfere with, and diminish, the employment for shipping in this country.

The first to which I shall allude is the abolition of the Slave-trade. They who are old enough to remember,—and I am one of the number,—the early debates which took place on this subject, will recollect, that the arguments in opposition to the measure were grounded chiefly on the danger with which it threatened the shipping interests of the country. The necessity of kidnapping cargoes of slaves on the coast of Africa was at that time, as coolly defended, on the score of encouragement to our marine, as the taking of cod-fish on the banks of Newfoundland could be at the present day. That traffic was, however, abolished in 1806; and, happy I am, that the interest of humanity, and the honour of the English name, were from that year no longer sacrificed to the plea of the shipping interest; though I may, I think, fairly adduce the abolition of the Slave-trade as having taken away one source of employment.

After the general pacification of Europe, but before we dismantled our fleet, we insisted on the powers of Barbary desisting from the practices of maritime warfare, carried on by cruizers under their flags, in the Mediterranean. These corsairs were constantly taking prisoners either for the sake of ransom, or for the purpose of carrying them into slavery. Whilst this system was tolerated, scarcely any trading vessels, those of Great Britain excepted, could navigate that sea in safety. In this state of things, it was highly honourable to this country to have used her naval power,—the dread of which had constantly ensured respect for her own flag, —for the purpose of procuring an equal degree of security for the navigation of all christian states. This was no positive duty which we were bound to perform. We were not called upon by any international engagement, nor by any moral obligation, as in the case of the slave trade. The act was one of spontaneous generosity. But, however high-minded in principle, it is not the less true that the result of our interference was injurious to the shipping interests of this country, in the Mediterranean. Since the bombardment of Algiers, the flag of every petty state, bordering on that sea, floats in equal security with our own. I am not accurately informed what was the quantity of British shipping employed in the carrying and coasting trade of those states before this change, but I have heard it stated, in this House, by one likely to be well informed, —the late Mr. Marryat,—that from eight to ten thousand British seamen, and from seven to eight hundred British vessels, were engaged in that commerce. Consequently, to that extent has the employment for British ships been diminished in the Mediterranean.

But these were not the only circumstances, at the close of the late war, which had a tendency to reduce the amount of our shipping. With the termination of hostilities, there was necessarily a diminished demand for ships in the public service. The greatest proportion of those which had been taken up as hired transports were discharged. I have obtained a statement of their number and tonnage, as they stood at the termination of the war— and of the number and tonnage of those employed at the present period. The diminution is not less than, 1,226 vessels, amounting to 270,382 tons.

In the next place, we had to sell out of the king's service a number of vessels which were no longer wanted in the navy. I do not advert to ships of the line, or to frigates of the large class, which are always sold, subject to the condition, that they shall be broken up. Of this latter description of ships I take no notice; but confine my statement to vessels of smaller burthen, adapted to other purposes than those of war, and which are consequently not required to be so broken up. Of this class, there has been sold no less a number than 333, the amount of their tonnage being 93,530 tons. So that, if we add to the number of transports discharged the number of ships sold, we shall find that his majesty's government have set free, to compete with the commercial marine of the country, 1,559 vessels, amounting in tonnage to 363,912 tons; a quantity nearly equal to one-fourth of the whole shipping of the country, as it stood in the year 1793, at the commencement of the late war.

But this is not all. If the difference of circumstances under which trade is carried on, in time of peace and in time of war, be taken into consideration, we shall find that, in the former period, a much smaller number of vessels is required for the same extent of transactions, than in the latter. In time of peace, the moment a ship has landed her cargo, she is at liberty to sail again, and is despatched on another voyage as soon as possible. During the last war we were obliged, in almost all cases, to place our merchant-ships under the protection of convoy; and, in spite of all the exertions of the Admiralty, it was frequently difficult to provide convoys as expeditiously as the interests of commerce would have required. Four or five hundred merchant-men were sometimes collected together at one point, before the required protection could be afforded to them. And when, at length, these large bodies of shipping did proceed to sea, they were under the necessity of keeping together; so that the rate of sailing, during a whole voyage, was necessarily to be regulated by the progress of the slowest sailing vessel. In time of peace it is otherwise. Ships can then traverse the ocean singly without fear of interruption; and in their passage from one port to another, as well as in loading and unloading, every exertion is used to ensure despatch. An instance occurred lately, at Liverpool, of a large West-India-man arriving from Barbadoes, landing her cargo, and sailing again for that island in the course of one week. The multiplication and convenience of docks have also greatly contributed to obviate delay in the discharge and loading of vessels. Upon the whole, I shall not be overstating the proportion when I say that two-thirds of the number of vessels, necessary in time of war are fully sufficient for all the purposes of the same extent of commerce, in time of peace.

There is yet another circumstance to which, before I quit this part of the subject, I must refer. I mean the alteration made in the year 1815, in the foreign-corn trade of the country. During the war, this trade afforded regular employment to no inconsiderable quantity of shipping, but since the law has been altered, and the ports have been generally shut against the importation of foreign corn, that employment has ceased. In a desultory intercourse like that which alone can exist under the present law, the opening of the ports being sudden, and, in most cases, uncertain, till the quarterly average is declared, it is almost impossible that the trade, when permitted, should not fall into the hands of the foreign ship-owner. The period for which the ports may continue open being limited to a few weeks, the persons who wish to take advantage of that opening, instead of fitting out ships in our ports, send their orders to the continent, with directions to forward the corn by any vessels that can be procured on the spot. Hence the almost exclusive employment of foreign shipping in this occasional trade.

I must now crave the indulgence of the House while I show what was the situation of this country, with regard to its shipping, previous to the last war. In 1792, one of the most prosperous years which the country has ever known,—the year immediately preceding the breaking out of that war in which we were called upon to make such immense efforts to maintain our naval superiority,—the number of registered ships in the several ports of the British empire was 16,079; the amount of their tonnage 1,540,145 tons. In the present year, that is to say, in the year ended the 31st of December 1825, the number of registered ships was 24,174; and the amount of their tonnage 2,542,216 tons; showing an increase of one-third in the number of ships, and of two-fifths in the tonnage, within that period.

Having stated the number and tonnage of our registered vessels at the commencement of the late war, I will now show what they were at its close. In 1815, the number was 24,860, and the amount of their tonnage 2,681,276 tons. It appears, therefore, that there has been, since the conclusion of the war, a decrease in our shipping of 686 vessels, and 139,060 tons; but I have, I think, shown satisfactorily that, upon the return of peace in 1815, our commercial marine was greatly in excess of what was requisite in the then altered situation of the country.

As connected with this part of our inquiry, it is material to ascertain the number of vessels that have been built in the British dominions, since the termination of the late war, and to compare it with the number built in former periods. It is with much satisfaction that I find myself enabled to assure the House that, taking the last thirty-seven years, the number of ships annually built in Great Britain, instead of decreasing, has increased. The documents which prove the correctness of this statement are already upon the table of the House, with the exception of those for the year 1812, which, in consequence of the calamitous fire at the Custom-house in that year, could not be procured.

From the returns which I hold in my hand, I find that the number of ships built last year, in the several ports of the British dominions, exceeded the number built in any one year of the whole period to which I have referred. In the year 1814, when the war with France first terminated, the number of ships built was 818; the amount of their tonnage 95,976 tons. Last year, the number of ships built was 1,312; the amount of their tonnage 171,827 tons. So that, in fact, the tonnage of the ships built last year was little short of double the tonnage of those built in the year 1814, and exceeded considerably that of any year upon record.

These details, however dry in themselves, appear to me to involve the elements of the whole question, and to afford the best criterion by which a judgment can be formed, how far the complaints which represent our shipping to have been in a state of rapid decline are well-founded. The only other comparison, growing out of the documents which I hold in my hand, is that of the number of ships which have entered inwards, and cleared outwards, to and from the ports of Great Britain, in the several years since the alterations which are objected to in our navigation laws.

I have provided myself with a return exhibiting this comparison, from the year 1814 down to the last year; and I intreat the House to bear in mind that the complaint in the petition on the table is, that in consequence of the alteration made in the navigation laws within the last three or four years, the employment of British shipping has decreased, and that of foreign vessels trading with this country has increased. I will confine the comparison to the returns of vessels, British and foreign, entering inwards; and for this reason—that it is not necessary for ships leaving our ports in ballast, to clear out at all, and therefore the returns exhibiting the number of vessels cleared outwards must be very imperfect.

I find that, in the year ended the 25th of December, 1824, the number of British vessels that entered inwards was 19,164, and the amount of their tonnage 2,364,249 tons. The number of foreign vessels that entered inwards, during the same year, was 5,280, the amount of their tonnage being 694,880 tons. In the year ended the 25th of December, 1825,—a year in which the modifications made in our navigation laws were in full operation,—the number of British vessels that entered inwards was 21,786; the amount of their tonnage 2,786,844 tons. The number of foreign vessels that entered inwards in that year had increased to 6,561, and the amount of their tonnage to 892,601 tons. The year 1825 was, it is well known, a year of unexampled speculation in every branch of commerce, creating an unusual demand for shipping, not only in the ports of this country, but throughout Europe. And what, as regards British shipping, was the result? Why, that the positive increase of British vessels entered inwards, as compared with the year 1824, was 2,622; and of tonnage 422,595 tons; while the increase of foreign vessels entered inwards, during the same year, was in number 1,281; and in tonnage 197,721 tons. This at least is no unsatisfactory result. The increased employment of British shipping alone in that year exceeds the aggregate increase of employment to the shipping of all other nations of the world.

But, as the attention of the House has been specially referred, by the petitioners, to the state of the trade between this country and the northern parts of Europe, and more especially to the trade with Prussia, I must beg leave to enter rather more specifically into that part of their case. I am happy to be able to state, upon the authority of documents which will be laid on the table of the House, that by a comparison between the British and Prussian shipping engaged in the trade between the two countries, during the years 1824 and 1825, the increase of British was much greater than that of Prussian shipping in the latter year. The number of British ships trading to the ports of Prussia in the year 1824 was 470; in the year 1825, 942; being more than double the number of the preceding year. The number of Prussian ships which came to this country, in the year 1824, was 682; in 1825 the number was 887; being an increase of about one-fourth.

Such, Sir, if any inference is to be deduced from the trade between Prussia and Great Britain for the last year, is the comparative growth of British and Prussian navigation. I am aware that the danger of losing our carrying trade, from the ports of the Baltic, has been the main source of the jealousy felt by the shipping interest, and of their complaints to this House. The comparison between British and Prussian shipping for the two or three last years, and especially that of the year 1825, has certainly not borne out their predictions, or justified their alarms. But it would be uncandid to deny, that we have not yet sufficient experience to warrant a positive conclusion that, prospectively, the shipping of the Prussian ports may not gain ground in the competition with our own. I am the more induced to make this remark, as, from the excessive excitement, and over-trading of the last year, I am ready to acknowledge that, taken by itself, it cannot be considered as affording an estimate for the future: neither, on the other hand, perhaps, will it be fair, in 1827, to form such an estimate from the experience of the present year, which, it is much to be feared, as a natural consequence of late excess, will be one of severe depression in the trade of this country.

Having adverted to the apprehensions which are entertained respecting our trade with the ports of the Baltic, I have naturally been most anxious to sift to the bottom this important part of our inquiry. I know no mode so satisfactory of ascertaining what have been the fluctuations in the trade, either as respects our own share of it, at different periods, or the proportion which that share bears to the trade of other powers with the ports of the Baltic, as a reference to the annual returns of the vessels of all nations which have passed the Sound in a given number of years. Fortunately, the State-paper office has furnished me with these returns. This account I hold in my hand, from the year 1783 to the year 1792, with the exception of the year 1789; the returns for which year have been either lost or mislaid. I also hold in my hand a similar account, from the year 1816 to the year 1825, both inclusive. The comparison of these two periods, each of ten years (both periods of peace), appears to me to afford a fair illustration of this branch of trade. I am happy to say that the result will be found highly satisfactory; for it will be seen that the number of British ships which passed the Sound in the year 1825, was not only positively greater than it was in any one of the twenty years to which I have referred, but that its proportion, with respect to the number of vessels from all other nations, was equally favourable to this country. It would be going into an unnecessary detail to give the numbers for every year of the twenty. I shall, therefore, confine myself to the five last years. The total number of ships which passed the Sound was:—

	British Ships.	Ships of all other Nations.
In the year 1821 ...	2,819 ...	6,358
Do. 1822 ...	3,097 ...	5,386
Do. 1823 ...	3,016 ...	6,187
Do. 1824 ...	3,540 ...	6,978
Do. 1825 ...	5,186 ...	7,974

So that, looking at the proportion which Great Britain has been able to retain of the trade of the Baltic, it appears that, last year, when the total number of vessels which passed the Sound exceeded that of any former year, British shipping engrossed considerably more than one-third of the whole navigation of that sea, and had increased very nearly two-fifths, compared with the average of the four preceding years. The papers to which I have referred I propose to move for, so that the House will be able to judge from them of the correctness of my statement.

In consequence of the restoration of peace, the demand for shipping, as I have already remarked, was much diminished, and the rates of freight were considerably lowered after the year 1815. This gave rise to great complaints on the part of the shipping interest. In the hope of finding some remedy for their difficulties, the House, in the year 1820, appointed a select committee to inquire into the state of our foreign commerce. My right hon. friend, the master of the Mint, now absent, I am sorry to say, from indisposition, presided over the labours of that committee, and prosecuted the inquiry, in several succeeding sessions, with a degree of zeal, diligence, and ability, for which the country is greatly indebted to my right hon. friend. One change recommended by that committee, in the navigation laws, was to the following effect;—that whereas certain goods which I have already described as known in trade under the designation of "*enumerated articles*," could only be imported in British ships, or in ships of the country in Europe of which they were the produce, and directly from that country, it was the opinion of the committee that the law ought to be so far relaxed, as to allow the importation of these articles in the ships of any country into which they had been previously imported.

The recommendation of the committee was adopted by the legislature. That this relaxation has been beneficial to our commerce and navigation is now, I believe, placed beyond all doubt. It afforded a great facility to the execution of another project, emanating from the same committee, and since also carried into effect;—that of establishing a general system of warehousing, so as to make this country a place of entrepôt for all foreign commodities. It was obviously impossible to give full scope to this system, unless we were prepared to allow greater latitude to the admission of foreign goods. The superior capital and credit of this country afford inducements to send those goods here, and their being deposited in British warehouses gives a facility to the British merchant and ship-owner to supply the demand for them in other parts of the world, through the medium of British adventure and British shipping, instead of their being sent directly to those parts in foreign shipping, from the countries of Europe in which such goods are produced.

It was desirable, therefore, for the interest of our foreign trade, that we should no longer rigidly adhere to that part of the Navigation act which prohibited the importation of the "enumerated articles," if brought from countries other than those of which they were the produce. Such a restraint, it is hardly necessary to say, could not fail frequently to prevent speculations of trade, in which the spirit of British enterprise would have otherwise engaged, or to throw those speculations into other channels. It interfered, likewise, to prevent the advantageous assortment of cargoes, and other commercial arrangements, as well in foreign ports as in the ports of this country; and, in this and many other ways, contributed, directly and indirectly, to diminish the employment for British shipping.

Another alteration in our navigation system has since been adopted, which certainly ought not to have been so long delayed. This alteration consists in putting the trade between Great Britain and Ireland upon the footing of a coasting trade. Every gentleman must, I think, see that, from the time at least of the union of the two countries, it was desirable that their interest and commercial system should be identified as much as possible. From that period it was absurd to consider the commercial intercourse with Ireland as a part of our foreign trade, and to subject the shipping employed in it to the restrictive regulations and higher charges of that trade.

But these were not the only deviations from the ancient rules of our navigation system. The revolutions which have occurred in the political state of the world, in our time, rendered other changes indispensable. There has grown up over the whole continent of America, a situation of affairs similar to that which the United States presented after their separation from the mother country. This change, from a colonial to an independent existence, necessarily draws after it, in each particular case, the application of the new rule, which, as I have already stated, unavoidably grew out of the independence of the United States.

The first application of that rule occurred in respect to Brazil. From the moment when, in 1808, the house of Braganza transferred the seat of empire to Brazil that country virtually ceased to be a colony. Great Britain had no choice but to apply the European principles to the commerce and navigation of Brazil, though out of Europe, and to admit Portuguese shipping,—and, since the separation of Portugal and Brazil, Brazilian shipping,—coming from that country into our ports, upon the same footing as the ships of any other independent nation.

This principle has been extended, from time to time, as new states have risen up in America. When I heard the hon. member for Grampound complain that, in our treaty of commerce and navigation with Colombia, and in that with Buenos Ayres, we had consented to place their navigation upon an equality with our own, I certainly listened to this charge with no small degree of surprise, being satisfied that what the hon. gentleman censured so severely, was the very wisest principle that this country could adopt. Those states were anxious to encourage their commercial marine, by granting exclusive advantages to their own shipping, and imposing certain restrictions upon that of this country. This disposition was frequently manifested by the ministers of those states in the course of our discussions with them; and certainly there are not wanting some who are constantly endeavouring to excite in these new countries a jealousy of the naval power of Great Britain; instigating them to adopt a separate and novel code of maritime law for the new world; and to frame their navigation system upon principles of giving a preference to their own shipping, and to that of America generally, over the shipping of this country, and of Europe.

Have we acquiesced in these views? Have we compromised any of the acknowledged principles of maritime law? No, Sir.—Whilst we have explicitly refused to listen to any such compromise, we have disarmed all suspicion as to our commercial pretensions, by frankly declaring, that we sought no exclusive advantages for British ships or British trade, and that the principle of our intercourse with the new states, as with the old states, of the world, would be that of a fair and equal reciprocity.

This brings me to the *gravamen* of the charge made against his majesty's government; namely, the step taken by them, in furtherance of this principle, by the introduction of a law, enabling the Crown, with the advice of the Privy Council, to remit all discriminating duties on the goods and shipping of such countries, as may agree to impose no higher charges or duties upon British ships, and the goods imported therein, than upon their own ships, and the like goods imported in such ships.

If the system of discriminating duties for the encouragement of shipping were a secret known to this country alone; if a similar system were not, or could not be, put in force in every country, I should not be standing here to vindicate the measure to which I have just referred, and the present policy of his majesty's government. So long as, in fact, no independent trading community existed out of Europe, and so long as the old governments of Europe looked upon these matters,—if they looked to them at all,—as little deserving their attention, and were content, either from ignorance or indifference, not to thwart our system, it would have been wrong to disturb any part of it. But is this the present state of the world? Did not the United States of America, in the first instance, for the purpose of raising to themselves a great commercial marine, and of counteracting our navigation laws, adopt, in their utmost rigour, the rules of those laws, and carry, even further than we had ever done, in respect to foreign ships, this principle of discriminating duties against our shipping? Can we shut our eyes to the fact that other nations have followed, or are following, their example? Do we not see them, one after the other, taking a leaf out of our own book? Is not every government in Europe, if possessed of sea-ports, now using its utmost endeavours to force a trade, and to raise up for itself a commercial marine? Have we not boasted of our navigation laws, till we have taught other nations to believe (however erroneous that belief), that they are almost the only requisite, or, at least, the *sine quâ non*, of commercial wealth and of maritime power? Did these vauntings excite no envy, no spirit of rivalry, no countervailing opposition in other countries? Did the success of the United States of America create no desire in those countries to follow her example?

It would be worse than idle, it would be dangerous, to dissemble to ourselves the great changes which have been wrought since the establishment of American independence, in the views and sentiments of Europe, upon all matters connected with commerce and navigation. They now occupy a leading share in the attention of almost every government. They are every where a subject of general inquiry and interest. Even in countries of which the institutions are least favourable to the discussion of political topics, these questions are freely discussed, and, by discussion, the influence of public opinion is made to bear upon the measures and policy of their governments.

In this altered state of the world it became our duty seriously to inquire, whether a system of commercial hostility, of which the ultimate tendency is mutual prohibition,—whether a system of high discriminating duties upon foreign ships, with the moral certainty of seeing those duties fully retaliated upon our own shipping in the ports of foreign countries,—was a contest in which England was likely to gain, and out of which, if persevered in, she was likely to come with dignity or advantage? I will lay aside, for the moment, every consideration of a higher nature, moral or political, which would naturally lead us to look with some repugnance to the engaging in such a contest. I will equally lay aside all consideration for the interest of our manufactures, and for the general well-being of our population, who, as consumers, would obviously have to pay for this system of custom-house warfare, and reciprocal restriction; and I will view the question solely in reference to the shipping interest. In this comparatively narrow, but, I admit, not unimportant, view of the question, I have no difficulty in stating my conviction,—a conviction at which I have arrived after much anxious consideration,—that, in the long-run, this war of discriminating duties, if persevered in on both sides, must operate most to the injury of the country which, at the time of entering upon it, possesses the greatest commercial marine. How can it be otherwise? What are these discriminating duties, but a tax upon commerce and navigation? Will not the heaviest share of that tax fall, therefore, upon those who have the greatest amount of shipping and of trade?

Before we embark in such a contest, we owe to the character of the country, as well as to its interests, to satisfy ourselves,—first, that it is necessary for its welfare; and, secondly, that once committed to the trial with all the commercial powers of Europe, the country would have the firmness and fortitude necessary to go through with it. Do not let gentlemen too hastily decide this last point in the affirmative. Let them call to their recollection the famous orders in council;—let them, above all, bear in mind, that we have yet had but one trial of this discriminating warfare,—the trial with the United States of America,—and that we came out of that trial, after several years' perseverance, by conceding the very object, for the maintenance of which it had been carried on. Would it be politic, or dignified, to engage in a like struggle in Europe, with the risk of arriving at the same result? In commerce, in navigation, in naval power, and maritime pretensions, the United States are our most formidable rival; and we are now arraigned for not withholding from Prussia and Denmark, what parliament and the country, ten years ago, concurred in yielding to America!

Under what circumstances did England found her navigation system? When her commercial marine was, comparatively, insignificant, her wealth inconsiderable, before manufactures were established, and when she exported corn, wool, and other raw materials.—When, on the other hand, Holland and the Netherlands were rich, possessed of great manufactures, and of the largest portion of the carrying trade of Europe and the world. What has followed? The commercial marine of the latter countries has dwindled away, and that of Great Britain is now immense. But, in the progress of the change, England is become the great seat of manufactures and trading wealth, frequently importing, and never exporting, corn; drawing raw materials from, and sending out manufactured goods to, all parts of the world. This was our state, though in a far less degree than at present, when America became independent. She started by applying towards us the system which we had applied towards Holland. She was then poor, with a very small commercial marine, without manufactures, having corn and raw materials to export;—and we know what her shipping now is. Let gentlemen reflect on these circumstances, before they decide that it is necessarily wise to enter upon a similar contest with other poor and unmanufacturing countries. Let them seriously consider, whether a system of discriminating duties,—now that the exclusive *patent* by which we held that system is expired,—is not the expedient of such a country as I have described, rather than the resource of one which already possesses the largest commercial marine in the world. They will then see, that it may possibly be a wise policy to divert such countries from that system, rather than to goad them on, or even leave them a pretext for going into it.

Let us for a moment, however, suppose that, at all hazards, we have embarked in this warfare of counteracting duties. They who recommend this policy have no right to assume that, in the progress of the struggle, the discriminating duties imposed in the foreign country (Prussia, for example), on British shipping will not be, at least, equivalent to the like duties levied in England on Prussian shipping. The United States did not content themselves with equivalency,—they went more boldly to work:—so might any European power. If equivalent duties be established on both sides, how will they operate? It is clear that the shipping of each country will stand in the same relative situation to that of the other, as if no such duties had been imposed; the duties, therefore, in both countries will be a tax, and a very objectionable one, upon the interchange of their respective productions. But, as those productions are different, these duties will affect differently the industry of the contending parties. Our principal exports to the north of Europe are manufactured goods and colonial produce;—our imports, timber, hemp, flax, pitch, tar (occasionally corn), and other raw materials. The former must be sold dearer in the foreign country—the latter in this country—by all the amount of the tax. What is this in the foreign country, but a premium against our manufactures, in favour of the rival manufactures of other states, or of the importing state itself;—and in this country, but a tax upon raw materials requisite for carrying on our own manufactures? A ship, for instance, is a manufactured article, and, to encourage our shipping, here is an additional tax upon the raw materials of that manufacture! Our cotton goods, our woollen stuffs, barely maintain a competition with those of other countries, and here is an additional tax on their importation into those countries, to turn the scale against us! Our West-India planters complain of the low price of their productions, and we provoke an additional tax which tends to shut them altogether out of the foreign market! If the end of this warfare should be, as, pushed to the extreme, it might be that each country should export its own production, in its own ships, and no country import the productions of another, in the ships of that other, which would be the greatest loser, the country manufacturing, or the country producing the raw materials? I will not even glance at the effect of all this strife upon the consumers, that is, upon the bulk of the population; because I know that, in certain quarters, I shall be taxed with theory, if I stand up for the general interest of the community, against the pretensions of a particular class, when the interest of that class is supposed to be at stake. Indeed, I have no doubt I shall be told by some practical men, that all this is theory, to which they have a short answer. That answer is, "We do not want any thing from the Baltic. We have plenty of timber, *&c.* in Canada, all of which would be brought home in British shipping; and, therefore, the powers of the Baltic must submit to our discriminating duties, without retaliation, or be content to lose our trade." I really know not how to reason with such logicians. I believe the Baltic can do to the full as well without us, as we can do without the Baltic. We import quite as much timber from Canada as can be used for the purposes for which that timber is fit. For other and more important purposes, we want timber of better and more durable qualities. Looking to the shipping interests of this country, and to the interests of Canada, I am not one of those who think we have done too much for those interests, in the great preference, in point of duty, which we have given to the Canada timber, and in the consequent sacrifices which we make to encourage the importation of that timber, inferior as it is; but I must say, at the same time, that the great annual increase of the importation from our North American possessions, under the present duty, shows that the proportion which it bears to the Baltic duty has not been settled to the disadvantage of the shipping employed in the Canada trade. Were it necessary, however, to make an option between a contest of discriminating duties with Prussia in the timber trade, or a further reduction of the duty on Canada timber for the greater encouragement of our shipping, I certainly should prefer the latter measure, as the least injurious of the two to all the other interests of this country.

For the reasons which I have now stated, his majesty's government have thought it more prudent and more dignified to enter into amicable arrangements with other powers, founded on the basis of mutual interest, and entire reciprocity of advantages, rather than embark in a contest of commercial hostility and reciprocal exclusion;—a system, at best, of doubtful benefit to the shipping interest; involving the certainty of great injury to all the other important interests of the country; and which would at last, place parliament and the government in the painful alternative, either of turning a deaf ear to the complaints of the many who would suffer from the contest, or of terminating it, as other contests of a like nature have been terminated, by concession, bringing with it not only immediate humiliation, but other consequences, which do not end with the concession itself.

But it is asserted, that we should not have been compelled to make our choice between these alternatives. Whilst I entreat the House to bear in mind the circumstances which I have already stated, in respect to the general feeling which prevails in the maritime countries of Europe, and in America, I must now call their attention to the steps which had been actually taken by Prussia (the first power, after the United States, with which we entered into a treaty upon this subject) before the negotiation of that treaty was entertained by his majesty's government.

I hold, Sir, in my hand a report, made on the 6th of August, 1822, by the British consul at Dantzic; also reports of the vice-consuls at Konigsberg and Memel, to the Secretary of State for Foreign Affairs. I will not trouble the House with reading the whole of these despatches, but I request their particular attention to the following extracts:

Extract of a Despatch from Mr. Consul Gibson, dated Dantzic, the 6th August, 1822.

"My lord:—I do myself the honour to transmit to your lordship a translation of the order of cabinet (which I have only now been able to procure) respecting an increase of the government port charges in the Prussian ports, on vessels belonging to countries between which and Prussia no reciprocity has been fixed by treaty, or which do not otherwise treat Prussian ships and their cargoes as advantageously as their own. Prussia has made arrangements with Holland, Denmark, and America, for establishing a reciprocity in this respect, and the present regulation has evidently for object to induce other countries, *particularly Britain,* to enter into a similar arrangement.

"At present Prussian, Dutch, Danish and American ships pay, as public port charges here, about 46½ common groshes, or about 17⅔*d.* sterling, per last of 4,000lb. (about 4,140lb. English), or about 1⅜ tons British measurement; while British and other vessels pay about 77⅔ common groshes, or about 29⅔*d.* sterling per last, making 8¾*d.* sterling per ton measurement more. The advance that is to take place will make, as it will be payable in gold at a losing valuation, *viz.*

	Pence Sterling per Ton measurement.
"On ships coming in with a full cargo of goods about	58
"Do. with a quarter of a cargo or less	29
"Do. going out with a full cargo ..	29
"Do. with a quarter of a cargo or less	14½

"Thus vessels arriving even in ballast, and taking a cargo back, will in future be burthened with about 37¾*d.* sterling per ton measurement more government port charges than Prussian ships; which however is not quite so great an advantage to the latter as British vessels have over Prussian in Britain, by paying lower port charges, light money, &c. and less duty on the cargo, if of timber for instance, which gives the chief employment to Prussian ships.

"The Prussian government make this new port charge regulation professedly from the interest created by the situation of their ship-owners, who are indeed all going to ruin."

Cabinet Order of the 20th June, 1822, *for the Encouragement of Home Shipping.*

"In consideration of the unfavourable state of the shipping of this country for several years past, and in consequence of the representations made to me, founded on divers consultations, that the unfavourable state of things operates the more injuriously on the said trade, as the principles always observed here, of imposing moderate burthens on foreign ships frequenting Prussian ports, and of levying the same duties on goods imported or exported, whether in foreign or in native ships are not adopted in several foreign ports frequented by Prussian ships; I have resolved, so long as these relations subsist, so detrimental to the maintenance of this important branch of domestic trade, to grant the said trade greater advantages than it has hitherto enjoyed; I therefore do ordain,

"*First.* That the coasting trade from one Prussian port to another shall be considered, exclusively, a branch of domestic trade, and shall be carried on solely by Prussian vessels, under pain of ship and property being confiscated, upon any foreign ship-master being detected in it. Exceptions can only be allowed in very urgent cases, and only for the public good, by the provincial authorities.

"*Secondly.* An increase of the hitherto existing harbour dues shall take place, in all Prussian ports, on foreign ships with cargoes, in-coming or out-going, but the same shall not be applicable to the ships of those nations:—

a "With which Prussia has treaties, placing her ships and their cargoes on an equal footing with the native ships, or with those of the most favoured nations, in conformity with the stipulations therein made."

b. "Which from other causes treat Prussian ships, with their cargoes, the same as native vessels with theirs.

With this restriction shall the increase take place, according to the following rates:—

a. "On in-coming ships...R. 2 per last of 4,000lbs.

b. "On out-going...do...... 1 ......do.

c. "On ships that have only one-fourth of a cargo, or less, one-half of the above,

"say In-coming...... 1
"Out-going...... ½

"Ships in ballast are not subject to the increased imposts.

"The proceeds of this impost shall not be considered as an additional source of revenue to the state, but shall be applied for the benefit of the Ship-owners, accordingly as you, the minister of commerce, shall propose to me.

"*Thirdly.* In order to present, as far as is in the power of the state, a real source of profit to the ship-owners, the conveyance of such goods as may be for account of the government, shall be effected, in preference, by native ships, regarding which I refer to my particular order of this day.

"The first and third of the foregoing enactments shall be put in force immediately; but the second point only in three months after publication of this order, which is to be made through the collection of laws, and according to which the needful is to be decreed.

(Signed) "Frederick Wilhelm."

Extract of a Despatch from Vice-Consul Tuke, dated Konigsberg, 22nd August, 1822.

"Sir:—I beg leave to draw the attention of your excellency to several new laws and regulations of the Prussian government, which are highly detrimental to the British trade, and respecting which numerous complaints have been made to me by the merchants and shipmasters interested in the trade between this country and Great Britain.

"By the last tariff, a duty of one guilder per hundred-weight is imposed on all flax, hemp, and tow, shipped in foreign vessels. This is probably intended as a measure of retaliation for the difference of import duty charged in Great Britain between goods arriving in British and foreign vessels. This law has obliged several British ships this summer to load flax at the low freight of thirty shillings per ton, instead of fifty shillings, which they would have got, had not the merchants been obliged to pay twenty florins per ton export duty, because the goods were shipped in a British vessel. As hemp and flax are, now that the corn trade no longer exists, the principal articles of export from hence, this duty bears exceedingly hard on British vessels.

"According to a cabinet order, dated Berlin, 20th June, 1822, intended for the encouragement of Prussian shipping, the King has been pleased to direct a duty of three dollars per last to be charged on all foreign vessels arriving with cargoes after the expiration of three months. This tax is so important in its consequences as to demand immediate attention, for a moderate-sized vessel will, by this order, be compelled to pay three hundred dollars in addition to the existing heavy charges, which will entirely prevent our vessels from enjoying the carrying trade from home to this country."

Extract of a Despatch from Vice-Consul Fowler, dated Memel, 21st August, 1822.

"This difference between British and Prussian shipping" (i. e. the difference established by the decree of 20th of June) "must drive the carrying trade in British bottoms from this port, to the great injury of the British shipping interest; for about three hundred British vessels, on an average, load here annually with timber for Great Britain, which, of course, cannot bear such heavy charges, as cargoes consisting of grain, flax, hemp, tallow, &c. &c., and which are of so much more considerable value. The merchants here, who are principally British, have protested against this new regulation, and petitioned the Prussian government for the repeal thereof."

From what I have now read, the House will at once understand the nature of the measures adopted by the Prussian government, in the year 1822, and the motives which influenced them in that proceeding. What was the consequence of these measures? Why, that, in the next year, 1823, the Board of Trade, and other departments of the government, were assailed with representations from all quarters, connected with the shipping and trade of the country, against the heavy charges imposed upon British ships in the ports of Prussia. In such circumstances what course did his majesty's government take? We felt it to be our duty, in the first instance, to communicate with the Prussian minister in this country; and our minister at Berlin was, I believe, also directed to confer with the Prussian government on the subject. I myself had a conference with the Prussian minister at this court, and I well recollect the substance of his reply to me, "You have," he said, "set us the example, by your port and light charges, and your discriminating duties on Prussian ships; and we have not gone beyond the limits of that example. Hitherto, we have confined the increase of our port and tonnage charges to ships only; but it is the intention of my government next year" (and of this he shewed me the written proof) "to imitate you still more closely, by imposing discriminating duties on the goods imported in your ships. Our object is a just protection to our own navigation; and so long as the measure of our protection does not exceed that which is afforded in your ports to British ships, we cannot see with what reason you can complain."

Against such a reply, what remonstrance could we, in fairness, make to the Prussian government? We might have addressed ourselves, it may be said by some, to the friendly feelings of that government;—we might have pleaded long usage in support of our discriminating duties;—we might have urged the advantages which Prussia derived from her trade with England. Appeals like these were not forgotten in the discussion, but they were of little avail against the fact stated by Mr. Consul Gibson—that "the Prussian ship-owners were all going to ruin."

By others, it may be said, "your duty was, to retaliate, by increasing your own port charges, and discriminating duties, on Prussian shipping." I have already stated generally my reasons against the policy of this latter course. We were not prepared to begin a system of commercial hostility, which, if followed up on both sides to its legitimate consequences, could only tend to reciprocal prohibition. In this state of things, more prudently, as I contend, we entered upon an amicable negotiation with the Prussian government, upon the principle of our treaty with the United States—that of abolishing, on both sides, all discriminating duties on the ships and goods of the respective countries in the ports of the other.

Having concluded an arrangement with Prussia upon this basis, we soon found it necessary to do the same with some other of the northern states. Similar conventions were accordingly entered into with Denmark and Sweden. Reciprocity is the foundation of all those conventions; but it is only fair to add, that they contain other stipulations for giving facility to trade, and from which the commerce of this country, I am confident, will in the result, derive considerable advantage.

When his majesty's government had successively made the concession of these discriminating duties to the United States, to Prussia, to Denmark, and to Sweden, I should have been ashamed of the councils of this country if we had hesitated to enter into a similar agreement with the free Hanseatic towns of Hamburgh, Bremen, and Lubeck. These little states, I admit, had imposed no discriminating duties upon our ships, though they had the power to do so. But would it have been worthy of the character of this great country, consistent with its justice, or honourable to its generosity, to continue to levy, upon the trade and shipping of these ports, duties which were no longer paid by the subjects of more powerful states!—to have made their forbearance the plea for our exaction, or to have waited to do an act of justice until they had deprived us of that plea?

In our treatment of these free towns, this country ought not altogether to forget that, amidst the barbarous ignorance, and habitual violence, of the feudal ages, those little republics were the refuge of commerce, and the nurseries of civilization. They were the sanctuaries, in which the arts and pursuits, most conducive to the enjoyments and improvement of mankind, were respected, amidst the scenes of bloodshed, rapine, and insecurity, by which they were too often surrounded. With these recollections, I shall, perhaps, be excused, if I express my regret, that several of the little trading communities on the continent have ceased to be free and independent. In point of policy, it has always appeared to me that the incorporation of these communities with the military monarchies of the continent, was not the most satisfactory part of the late settlement of Europe. This incorporation was, probably, more the inevitable consequence of the general derangement of the war, than the legitimate result of the principles which prevailed at the restoration of peace. Were I disposed to illustrate the inconvenience of that incorporation, in reference to the present subject, I might, not inopportunely, refer to Dantzic. If, instead of passing under the dominion of an absolute monarchy, that town (formerly, I believe, one of the Hanseatic league) had continued free like Hamburgh, and had the government of Prussia then said,—"You shall not trade with us, except on such and such conditions,"—our answer might have been, "the commodities which we want from your country we can procure at Dantzic, where no such conditions are imposed on British ships."

If we look at the present question, as connected with our maritime strength, I contend that there can be little or no danger from the arrangements which I have now described. The states to which those arrangements extend, from their situation, and from many other circumstances, which it is not necessary for me to mention, never can become formidable as maritime powers;—they never can dispute with us the ascendancy on the ocean, nor have they an interest in assisting others to obtain that ascendancy. Their commercial interests, and regard to their own security, must alike incline them to our side.

In time of peace, it is well known, the policy of this country excludes, as much as possible, from our commercial marine the natives of all foreign countries; but, in time of war, when our native seamen are required for the king's service, we are under the necessity of admitting volunteers from other countries to man our merchant ships. The consequence is, that, from our multiplied intercourse with those secondary states, their seamen, in time of war, tempted by higher wages and other advantages, assist in manning our merchant ships, and thereby afford us great facilities for carrying on our extensive commerce. On the restoration of peace, these volunteers are, most of them, forced to seek employment again in the merchantmen of their own countries; and their return thither contributes to give increased activity to the commercial marine of those countries.

If, therefore, by this system of extended reciprocity, a somewhat larger share of the carrying trade between Great Britain and these secondary states, devolve to their shipping, in time of peace, so far as this participation is obtained at the expense of any diminished employment for our own shipping, we may regret the diminution: at the same time, if the circumstances which lead to it be unavoidable, it is some consolation to know, that the corresponding increase, elsewhere, is divided among those countries which cannot be dangerous, and are likely to be most useful to us, in time of war.

The timber trade with Norway has, at all times, been carried on chiefly in the ships of that country. They are built for the purpose, in the cheapest manner, but so rudely constructed, as to be unfit for the conveyance of almost any other article. In respect to the Prussian timber ships, they are also of a construction very inferior to the shipping of this country, built for the purpose of general trade. We are told by most of the petitioners, and figures are adduced to prove the statements, that they are sent to sea and navigated at less than one-half of the expense of British ships. If it be so, the restoration of the discriminating duty, to the repeal of which these petitioners attribute all their present difficulties, would be of little avail to protect them. That protection was 2*s*. 9*d*. upon a load of timber, being the difference between 57*s*. 9*d*., the duty in a foreign, and 55*s*., the duty in a British ship, exclusive of some difference on account of lower port charges, and light money paid by the British ship. Against this advantage, therefore, in our ports, was to be set off the alien duty of 3*s*. 1¼*d*. a ton, imposed on British ships in the Prussian ports, whether with a cargo or in ballast. The balance, therefore, on our side would be next to nothing—totally inadequate, upon the shewing of the petitioners, as protection; but just enough to excite irritation, and to afford a pretence for vexatious restrictions on British commerce, and the introduction of British manufactures into the Prussian dominions. It has also been stated by some of the petitioners, that ship-building in this country is rendered more expensive by taxes on the materials, from which other countries are exempt. I am not aware that, in the petition from the shipping interest in the port of London, praying for a continuance of the discriminating duties, the petitioners urge the direct taxation upon the materials employed in ship-building, as a ground of complaint. It has been alleged, that the Americans build their ships upon cheaper terms than we do. This I do not believe. Timber, I admit, is cheaper in the United States, but almost every other article employed in ship-building is as dear as, and several of them dearer than, in this country. Labour likewise is dearer, and the pay of the crew full as high as, if not higher than, in England.

After all, there is nothing new in the complaints now made of the increased employment of the shipping of the northern powers, in their trade with this country. Similar complaints were made after the American war. In the year 1786, the ship-owners represented that our laws gave too great an advantage to foreign ships, and especially to the foreign ships employed in the importation of timber from the Baltic.

In consequence of this representation the Board of Trade of that day entered upon an inquiry into the subject. Mr. Reeves, in his work on the Law of Shipping and Navigation, states, in reference to this inquiry, that,

"In the year 1786, it was observed, that the quantity of foreign ships employed in the importation of goods from Denmark, Norway, Sweden, and the East country, was much greater in proportion to the British, than the foreign tonnage employed in other trades; and that it was increasing in general, and the British shipping employed in some of these trades was, at the same time, decreasing. A reference was made, in consequence, to the Board of Customs, to see whether it might not be proper to augment the duty, called the alien's duty, or petty custom, on such of the goods enumerated and described in the eighth and ninth sections of the act of navigation as were then subject to it, and were imported from the before-mentioned countries; and whether such increase would materially operate to increase the burthens on, and consequently the prices of, those articles, if such duty were increased gradually; that is, by making it double from the first of January, 1787, and treble from the first of January, 1788; and in case the Board of Customs should be of such opinion, then they were called upon to consider, whether some advantage might not be given to British-built ships employed in those trades, by lowering the duties on those articles when imported in such ships; or whether both these methods might not be pursued in such proportions as might best attain the end proposed, and not materially affect the revenue."

As it does not appear that recourse was had to these expedients, it is to be inferred that, upon further consideration, it was found it would not be safe to risk the experiment. The northern powers had not then complained of our existing alien charges upon their shipping; they had taken no steps to countervail those charges in their ports; but did it follow that they would continue passive, if a question then at rest had been disturbed, by increasing those charges in the manner suggested? In my opinion, to leave the question at rest, as long as possible, was the wisest policy for this country. It was the policy pursued until the matter was taken up, not by us but by the United States of America, and in succession by other powers. In that state of things, and after the arrangements which we had entered into with those powers, acting upon the necessity of the case, I felt, in the course of the last session, that it would be better to make our laws upon this point square with our practice—better as one general rule—first, to tender to all nations alike, and indiscriminately, equal facilities of commerce and navigation, and equal inducements to visit the ports of this country, with their merchandise, either for our own consumption, or in the way of transit (entrepôt) to other parts of the world:—secondly, to abolish all discriminating duties affecting differently the like productions of foreign countries, and, in lieu thereof, to establish one uniform tariff for the whole:—and thirdly, to reduce that tariff to the lowest degree, consistent in each particular article, with the two legitimate objects of all duties—either the collection of the necessary public revenue, or the protection requisite for the maintenance of our own internal industry. These are the principles according to which our new book of rates has been formed, and the consolidation of our innumerable, and, in many instances, inconsistent and contradictory laws of customs been effected.

A few observations on our commercial

policy, with regard to our colonies abroad, will bring me, I hope, to the conclusion of this important investigation. The former colonial system of this country was simply this, that our possessions abroad should receive all their supplies from hence in British shipping, and they were prohibited from trading directly with any other country. But, so early as the year 1783—the year in which we recognized the independence of the United States of America—it occurred to the government at home, that it might be somewhat hard to require of the West-India colonies to draw all their supplies from the mother country. What, then, was the line adopted? Orders in council, allowing those colonies to trade directly with the United States of America in British shipping, were passed, from time to time, as occasion required, and the ministers as often came down to parliament for bills of indemnity, for having so far violated the plantation laws.

In process of time, however, the government of the United States, jealous of a trade in which British shipping alone was employed, said to this country—"If you want the productions of our country, for the use of your colonies, and will not allow us to send them in our ships, we will entirely prohibit the exportation to your colonies, in British shipping, of those articles of which your colonies stand in need." They did so. The British government had then recourse to another expedient, in order to avert the threatened inconvenience, and at the same time to avoid any positive alteration of our navigation laws. A sort of open mart or fair was established, at some half-way place between the coast of America and the West Indies, to which the ships of the United States came, and where, being met by our traders, the respective parties interchanged commodities, according to their mutual wants.

But the government of the United States again interfered, and prohibited their ships from this trade. After a suspension of intercourse had continued for some time, parliament, in the year 1822, passed an act, by which American ships were allowed to trade, directly, between the United States and our colonies, in the West Indies, and North America.

Now let me ask, was it politic, was it altogether consistent with impartiality, and our friendly relations with the north of Europe, to grant to the shipping of the United States, first in the trade between them and this country, by the treaty of 1815; and, secondly, in the trade, by this act regularly legalized, between those states and our colonies, privileges, which we continued to deny to the shipping of Prussia, of Denmark, of Sweden, of Hamburgh, and of other trading communities of Europe? Upon what principle of fairness, upon what principle of sound policy, were we to continue this preference exclusively to a power, towards which, God knows, I entertain no feeling of hostility—far from it—but, when I am speaking of that nation in a British House of Commons, it is not improper to say, that in matters of navigation and naval power, there exists, towards us, a spirit of rivalry in the United States; a spirit of which I do not complain, but which should incline every Englishman to doubt the wisdom of any measure, tending to encourage the growth of the commercial marine of America, by giving to it privileges greater than are permitted to the shipping of other states—states less jealous of our maritime ascendancy in time of war, and, at all times confining their views upon the ocean to the industrious employment of their sea-faring people, without looking to the ulterior object of one day disputing with us the dominion of that ocean.

Considering, therefore, the act of 1822, and the changes which had taken place in the colonial system of other powers, it appeared to me that the time was arrived when upon every sound principle it would be right to extend to the foreign shipping of Europe, the same privilege of trading with our colonies in the New World, which had been granted to the shipping of America; and also to give a greater facility, and extension, to the intercourse between foreign countries and our colonies generally—strictly confining, however, to British shipping only, all trade between this country and the colonies, and all inter-colonial trade between the different foreign possessions of the British empire.

Whether we look to the interests of our commerce, which are also the interests of our navigation;—whether we look to the separate interests of the colonies, or to the general interests of the parent country; — or whether we consider the changes which have recently taken place, especially in the New World;—all these considerations appear to me to concur in support of the measures to which I have referred, and the enlarged views of policy upon which they are founded.

Shipping, like other branches of business in this country, is liable to fluctuation. There may be great excitement at one period, and great depression at another. Last year, for instance, the demand far exceeded the means of the British ship-owners to supply it. The price of freight for foreign adventures was, in consequence, so much raised as to become a very serious injury and interruption to other branches of navigation, more especially to our coasting trade. Yet, such was the unbridled rage for speculation which then prevailed, that our tonnage could not keep pace with it, and foreign vessels were taken up in every port of Europe, not from a preference, but because British ships could not be procured. This is not the proper occasion to inquire into the origin of the almost universal mania which appears to have seized upon merchants and manufacturers, not of this country only, but, more or less, upon those of other countries, during the last year. It is now too generally seen and admitted, even by those who were most infected by that mania, that their speculations were carried on without reference to the habitual scale of our consumption, or to the rapid accumulation of goods, or to any of those circumstances which, in their calmer moments, direct the operations of commercial men. When prices had risen, in the first instance from natural causes perhaps, speculation soon forced a further and more rapid rise, and the only inference, for a time, among buyers, seems to have been, that it would continue progressive, and almost indefinite.

Connecting this rage for speculation with the employment of shipping, the House will be surprised to hear in what a degree the quantity of bulky articles from foreign countries, and from our possessions in North America, in the last year, exceeded the importations of former years. In the year 1822, the total importation of timber from foreign countries was 140,715 loads—in 1825, it amounted to not less than 301,548.

		Cwts.
Of flax....	in 1822	607,143
Do. ..	in 1825	1,042,956
Of tallow ..	in 1822	805,238
Do. ..	in 1825	1,164,029
		Lbs.
Of wool ..	in 1822	19,048,879
Do. ..	in 1825	43,700,553
		Bushels.
Of linseed	in 1822	1,411,137
Do. ..	in 1825	2,876,571
From British America.		
		Loads.
Of timber..	in 1822	345,741
Do.	in 1825	467,565
		Cwts.
Ashes	in 1822	135,983
Do.	in 1825	210,781
Masts from all parts of the world, under twelve inches in diameter	in 1822	Number. 14,484
Do.	in 1825	19,016
Above twelve inches in diameter:		
		Loads.
	in 1822	4,577
	in 1825	8,698

The result of all this overtrading of last year, of which I have selected only a few instances, is the depression which now prevails, the interruption of commercial credit, the great diminution of employment for manufacturing labour in this country, and the general derangement of business in the countries with which our principal interchange of commodities is carried on. I deplore this state of things, not the less, certainly, because it is not confined to this country; and, in alluding to the sufferings of others, I do so, not as a source of consolation to ourselves, but as evidence, that this derangement is to be traced to some cause of more extensive effect than the municipal regulations of this country.

It would be matter of surprise if, amidst this almost universal stagnation of demand, the shipping interest, which had fully participated in the extraordinary activity of the preceding period, should not partake of the languor by which it is now succeeded. In looking dispassionately at this or any other of the leading interests of this country, we must not draw our conclusions from extreme cases, either way. We must also recollect that shipping, in common with every other mode of employing capital and industry, when it seeks a foreign market is liable to be affected by a competition with other countries, and by acts of foreign states, over which we can have no control. As far as exclusion is within our reach,—in the coasting trade,—in the fisheries, — in the trade between this country and our foreign possessions, — we grant a strict monopoly to the British ship-owner. It is our duty to maintain and enforce that monopoly, not for his special advantage, but for the public interest. It is further our duty to give him every legitimate countenance and protection in the trade of this country with other maritime countries; but if any branch of that trade is interfered with, either by new regulations in those countries, or by the erection of territories, once colonies, into an independent state, however we may regret the circumstances, as affecting our ancient navigation system, it may not be in our power to overrule those circumstances.

In such a state of things, our policy must be, retaining the important principles of that system as much as possible, to adapt it to the change in our situation, and to the altered relation in which we stand to the parties with which we have to deal.

The first effect of such inevitable changes, either in navigation or trade, is, usually, more or less, to derange the interests, upon which they immediately bear; but the temporary difficulty is generally overcome by the speedy opening of fresh channels of employment, and is soon merged in the increased enterprise which attracts capital and shipping to some other quarter. This was the case after the separation of the British colonies in North America; and I hope for a similar issue on the present occasion.

We are all agreed that our commercial marine is the foundation of our naval power, and that the maintenance of that power is the paramount duty of those who administer the affairs of this country. In an inquiry like this, therefore, the most important question for the consideration of the House is, not the detail of each separate branch of trade in which our commercial marine was employed in any particular year, but its aggregate amount at this time, compared with the aggregate amount at some antecedent period.

Now, Sir, I have already stated what that amount was at the breaking out of the last war in 1793, and what it is at the present time. The comparison, taken by itself, certainly affords no ground for despondency or alarm. But, in making this comparison in reference to our military marine, we are also to bear in mind, that in 1793, both the military and commercial marine of France and Spain were much more numerous than they are at present. The navy of Spain, once so powerful, has dwindled almost to nothing; her merchant ships have nearly disappeared from the ocean. The navy of France is less numerous and less formidable than it was at the breaking out of the Revolution, and her commercial shipping, though reviving, since the peace, is probably, at this moment, not more than one half of its amount in 1792. On the other hand, whether we look to the number of ships of war, to the means of manning those ships, to the general spirit which pervades every branch of the service, or to any other element of naval power, what a contrast between our situation at the close of the last, and of the American, war! Can we forget the period when the combined fleet of the House of Bourbon was master of the British Channel, — when a West-India convoy was obliged to assemble at Leith, and go north about, in order to escape capture by an enemy's fleet, within sight of our principal sea-ports? Can we forget when Gibraltar, blockaded by the united naval forces of those same powers, was relieved, as it were by stealth?—when it was considered matter of just praise to the highly-distinguished officer who commanded the British fleet, on that trying occasion, that in performing this service, he was able to elude the vigilance of a superior enemy, and to return to England, without having risked a combat.

These are among the recollections which belong to the American war. How different from those which connect themselves with the war by which it was succeeded! That our sway on every part of the ocean was undisputed by the naval power, not of France and Spain only, but of all Europe, before the close of the last war, is matter of notoriety. In fact the British navy was then occupied in the blockade of every naval arsenal of its enemies; and this, for the last years of the war, formed its principal employment in Europe.

When we began that war, in the course of which we achieved so many victories, our commercial marine was three-fifths of its present amount. Our seamen in the king's navy, 16,000, instead of 30,000, their present number. We had then no reserve of veteran seamen, receiving for former services an annual allowance from the state. We have now such a reserve amounting to many thousands, all of whom are liable, upon an emergency, to be called upon by the admiralty, and of whom a large proportion would, I have no doubt, be found as efficient as before their discharge. Our ships, likewise, are in a more complete state, and better prepared with all the means of speedy equipment, than at any former period of peace.

Never, I will venture to affirm, was there a time when the country might rest with greater confidence and satisfaction on the sufficiency of its naval resources than at the present.

But we are told, and I am ready to admit it, that if the naval resources of France and Spain have declined, a new and formidable power has grown up in the United States of America. I have already stated, that the maritime means of that country had, from peculiar circumstances, been considerably benefitted during the late war, which lasted so long, and spread so generally through Europe. But, if the commercial marine of the United States increased during that period, our own advanced in a greater amount. Since the restoration of a general peace, the shipping of both countries has rather decreased. The diminution in that of the United States has been stated at 168,000 tons, which I believe to be fully equal to any diminution that has occurred in this country. I am warranted, therefore, in concluding that, upon a comparison of our commercial marine with the commercial marine of other powers, we have no reason to apprehend any of the difficulties now which the petitioners predict, and that our naval means are fully adequate to any possible emergency which may compel us to call them into exertion.

If, Sir, I have trespassed too long upon the time of the House, my apology, I trust, will be found in the vital importance of the subject. The severe distress, under which the country now labours, is attributed, in some quarters, to the changes which have recently taken place in our navigation system, and in our commercial policy. If any honourable members entertain that opinion, all that I ask of them is, to come forward, and point out distinctly to the House the specific changes to which they ascribe these consequences. It is for them to shew, if they can, by evidence, or by argument, the connexion of cause and effect between those changes and the difficulties in which the country is now, unhappily, involved. Let them give a notice, and appoint a day for that purpose. This would be the manly course to pursue;—it was the course taken by the hon. member for Coventry (Mr. Ellice) on the question of the trade in foreign silks. For having taken this course I return him my sincere acknowledgments. To follow his example is the only favour I ask of those who heap abuse upon the measures in question, or who excite clamour, out of doors, against the individual upon whom has been devolved the task, however imperfectly executed, of submitting those measures, on the part of his majesty's government, for the approbation and sanction of parliament.

Mr. Huskisson concluded by moving for the following returns:—

Accounts "of the number of vessels, with the amount of their tonnage, that were built and registered in his majesty's dominions, from the year 1814 to the year 1825, both inclusive:"

"Of the total number of vessels, with the amount of their tonnage, and the number of men and boys employed in navigating the same (including their repeated voyages) that entered inwards, and cleared outwards, from and to all parts of the world, in the several years from 1814 to 1825, both inclusive; distinguishing the British from the foreign:"

An address for "Account of the total number of ships, of all nations, which passed the Sound, from the year 1783 to the year 1792, both inclusive; specifying the number of ships belonging to each nation.

"A like account from the year 1816 to the year 1825, both inclusive."

Returns "of the total number of ships of war, and other vessels, which have been sold out of the service since the conclusion of the peace: specifying the amount of their tonnage, and distinguishing the number and tonnage of those sold subject to the condition of being broken up:

"Of the greatest number of hired transports, and vessels of every description, which were employed in the public service, under the Navy-office, or the Transport-board, at any one period of the last three years of the late war, and of the numbers now employed in the same service; specifying the total amount of tonnage; also, the number of transports discharged during the years 1815, 1816, and 1817, and the amount of their tonnage:

"A like return from the Victualling-board:

"A like return from the Ordnance:

"Of the total quantity of timber of all sorts, masts, flax, hemp, tallow, and linseed, imported from the different ports of Europe, in the years 1822 and 1825, respectively; distinguishing the countries from which imported:

"Of the quantity of timber of all sorts, masts, ashes and corn, imported from the British possessions in America, in the years 1822 and 1825, respectively:

"Of the number of ships, specifying their tonnage, which have entered the port of London, in the years 1823, 1824, 1825; distinguishing the British from the foreign, and the coasters from the foreign trade."

Mr. *Baring* said, he was most willing to bear testimony to the great industry bestowed on that department of government over which the right hon. gentleman presided, of which the able and elaborate detail just given to the House afforded ample proof. There was hardly one point on which the right hon. gentleman had touched, in which he did not concur with him; and he rose, not so much with the intention of following the right hon. gentleman's remarks, as that of thanking him for the able manner in which he had developed his views, and for the general system he proposed to adopt with respect to our domestic and foreign shipping. As to the effects of the alterations introduced by the right hon. gentleman, he could speak with some confidence, having watched them narrowly; because, he was sure no man could say beforehand—and any man who pretended so to say was a charlatan—what effects would arise from any measure; and he knew they had been beneficial, though he was not prepared to find them equal to what the returns read by the right hon. gentleman stated them to be. By them it appeared, that there had been a considerable increase in the trade with the north of Europe, conformably to what had before been stated. When he recollected, however, the mad speculations of last year and the stupor of the present, he hardly thought that any returns made of these two periods could, with safety, be assumed as the correct basis for sober calculation. The people of this country, particularly those connected with the shipping interest, laboured probably under a mistake, in expecting now to possess the monopoly of trade as they had done during the war. There was no possibility of their having this, and to look for it was hunting after a delusion. He must be allowed, however, to mention a subject of which the House had lately heard so much, and to state that the trade with the north of Europe depended very much on our own Corn-laws. They met us at every turn. Those nations built their vessels cheaper than we could do, and they navigated them cheaper; and if corn were kept up at a high price in this country, that added to the cost of building our ships, and to the expense of navigating them, and made us unable to compete with the poorer nations of the north. He must, however, unpleasant as it might be to state it, say, that if gentlemen were determined to preserve that system, and not to open their eyes to its consequences, they would at length wake and find that it had beggared and ruined every interest in the country. With reference to our colonial system, he would say of our North American colonies, that their situation was such that it was not possible to preserve them, but by giving them all the advantages of a free trade, and attaching them to us by acts of kindness and liberality. If, therefore, it was desirable to preserve them, the system on which the right hon. gentleman had acted was necessary. Since the American war, those colonies felt their own power, and knew their own interest; and it was not possible to retain them by violence, or subject their trade to unnecessary restraints. The case of our West and East India colonies was different. We might irritate them without danger of their separating from us, and torment them without fear of their resistance. By interfering, as we were doing, with the internal government of the West-India islands, and with the management of their slaves, we were putting their patience to a severe test. But they were helpless and dependent, and nothing but their helplessness and dependent condition kept them from raising the standard against this country. With their trade we might therefore do as we liked, and subject to such restrictions and limitations as were beneficial to ourselves. On the whole, however, he concurred with the line of policy adopted towards them by his right hon. friend. It should be recollected, that two of our colonies, namely, Jamaica and Trinidad, were of importance, not only in themselves but as constituting a dépôt for the trade to South America; and, if we wished they should flourish as such, it was necessary to make the trade to them as free as possible. He did not wish to enter into some topics extrinsic to the main subject brought forward by his right hon. friend, and introduced into his speech; but he must be allowed to say, as to the silk-trade, that if his right hon. friend thought he had not injured that trade by his measures, his opinion was different from that of the manufacturers of Spitalfields and Macclesfield. In their opinion, those measures had injured the silk-trade, and had compelled them to turn off their workmen. As to the paper currency, he would say that the measures of ministers had aggravated all the evils, and added to all the difficulties, brought on the country by that currency. Owing to the cheaper rate of the navigation of other countries, he should not be surprised to see the commercial marine of all Europe increase faster than our commercial marine. The remedy for this was not, he thought, the imposition of new duties, but the removal of the Corn-laws. —He must again express his satisfaction at the statements of the right hon. gentleman, which he thought would go a great way to remove the erroneous impressions which had gone abroad, as to the effects of the alterations made in our commercial laws. He had not, perhaps, given the House all the information it wasdesirable to have, as to the increase of the trade of the United States of America; but he knew that nine tenths of all the foreign trade with Liverpool was carried on by American ships. The docks of that town looked, at all times, more like a port of the United States than an English harbour. He looked at this subject with some anxiety: but he was not aware that it was possible to alter it. He should listen with great willingness to any suggestions having this for their object; but, though he thought the evil a serious one, he saw no means of remedying it. The right hon. gentleman had stated, that at the breaking out of the war in 1792, our commercial marine amounted to upwards of 1,500,000 tons, and that now it was 2,540,000 tons: but the American commercial navy now amounted to between 1,600,000 and 1,700,000 tons. But this afforded no ground for imputing any blame to government; unless it was to be maintained, that government could find some remedy for the evil; if evil it could be called.

Mr. *Robertson* contended, that the statements of the right hon. gentleman were at variance with the papers then before the House. During the last four years, the foreign tonnage entering the ports of this country had trebled, while our own trade was daily going down. The whole of our foreign trade employed 700,000 tons of British shipping, which was 200,000 tons less than the foreign shipping employed in the same trade. Adverting to the reciprocity system, he maintained, that it must lead to the ruin of our commerce; and remonstrated against the short-sightedness of the right hon. the President of the Board of Trade, who, by the measures which he had adopted, was opening the eyes of other countries to their own interests, which otherwise they might, perhaps, not have seen. The true maritime interests of this country had been sacrificed, in an extreme degree, by the right hon. gentleman, and the other interests would eventually follow. And besides reducing our shipping, his measures had had the effect of destroying our warehousing system, and of rendering this country less and less the emporium of foreign trade. He also contended, that these measures would have the effect of placing in the hands of the North Americans, the whole of the trade with South America; which ought to belong to our West-India colonies. He did not blame the abandoning a great part of our navigation laws; for he admitted that they were offensive to other nations; but then the shipping interest of this country had as much right to protection as the silk or any other trade. Let them be put on the same footing, and he would not complain; but, if this were not done, we should not be able to grapple, a few years hence, with the naval power of America, which was fast increasing. If the navies of France and America increased, while ours declined or continued stationary, let the House consider the situation we should be in in a few years; and how much, in case of emergency, we should have to bring up of what we were now losing. The President of the Board of Trade had much to answer for on this subject. We were daily making innovations on the system of our commercial regulations, which were unsettling and keeping unsettled the general mind of society. He did not see how it would be possible for us to go on paying the national debt, if ministers persevered in the system they had adopted. He had been informed, on authority on which he could confidently rely, that the woollens manufactured on the continent were driving ours out of the market; and, indeed, foreigners were making rapid advances towards successfully rivalling us in the manufacture of cottons; although he must admit that as yet they had not quite equalled us. Looking at the present situation of the manufacturing interests, and considering the great weight of taxation with which they, along with the other branches of the community, were burthened, he should like to know how it would be possible for them to surmount their present difficulties, if foreign manufactures were admitted into the country? How could they possibly enter into a successful competition with the manufacturers of France, where labour was so much cheaper and taxation so much lighter, unless they had some protection afforded them, sufficient to counterpoise the advantages which the French, in other respects, enjoyed over them? The hon. member concluded, by calling on the House to give protection to our shipping, as well as to our other interests; and, above all things, to follow the example of the United States, in paying proper attention to our own interests, and preferring them to those of other nations.

Sir *M. W. Ridley* observed, that as he had recently presented a petition to that House from a body of persons whose interests were intimately connected with the subject under consideration, he would beg to be allowed to say a few words in elucidation of their case. Arguing from the documents already before the House, he must say, that in many important points he differed most materially from the right hon. the President of the Board of Trade. By those documents it appeared, that the foreign tonnage which had entered the port of London had doubled in the last three years. What was the relative state of our exports and imports? In the years 1824 and 1825, the imports to Great Britain from Sweden, Norway, Denmark, and Russia, increased to the value of 243,151*l.*, whilst during the same period our exports to those countries decreased to the value of 290,000*l.* This evidently showed that something was wrong in our commercial system. In fact, it was impossible that our shipping interest could prosper, under the circumstances in which it was placed. The difference between the cost of building, the rate of wages, the price of victualling, &c. in this and in foreign countries, sufficiently accounted for the depression of our own shipping interest. In the ports of Germany, Holland, Denmark, and Sweden, vessels of the first class cost in building only from 7*l.* to 8*l.* a ton; in England they cost 16*l.* or 17*l.* a ton. The expense was therefore double in the original construction. The contrast in the expense of victualling was not less. Then, with respect to wages: the wages of seamen in our merchant-ships last year were from 4*l.* 10*s.* to 2*l.* 10*s.* per month; this year they averaged 2*l.* 15*s.* The wages of foreign seamen were from 20*s.* to 12*s.* 6*d.* When, in addition to all this, the heavy taxation on all commodities to which our ship-builders were subjected was considered, it would not appear surprising that foreign builders should be able to build vessels on much cheaper terms. He had a right therefore to say that the shipping interest of this country was in a condition which entitled it to call on parliament for interference and protection. Unless it were intended that our navy should dwindle into insignificance, means ought to be adopted to lighten the burthens of our shipping interest, and to enable it to compete with the shipping interest of other countries. It was not to be expected that, at the present late period of the session, such an object could be accomplished; but he hoped they might look forward at an early period of the next session, to a rigid inquiry into the subject. He would merely occupy the time of the House in mentioning a fact which had occurred under his own observation, and tended to confirm the statements he had made. It was this: he had just left a foreign merchant who had opened an account with a banker in London, and in whose hands he had deposited bills to the amount of 35,000*l.*, being the price of produce which he had shipped from Hamburgh to Newfoundland. The whole of this produce was foreign, and the settlers were foreign; in short, there was nothing in the whole transaction which had any thing to do with this country. It must be evident to the House, that all this was an evil which affected interests still more extensive than the shipping interest. He repeated his earnest hope, that early in the next session an opportunity would be afforded of entering fully into this important subject, with a view to relieve the shipping interest from the utter ruin with which it was threatened.

Mr. *Ellice* said, that in his opinion the proceedings of last year had materially added to the distresses of the shipping interest, and had produced changes not only in this country, but all over the world. The present distress was said, by ministers, to have been created by the system of over-trading which our merchants and manufacturers had pursued; but he begged leave to retort the charge, and to declare that ministers themselves had been the cause of that over-trading, by the excitement and stimulus which they had given to the already excited spirit of speculation. He had no hesitation in saying, that the calamities of 1816, of 1819, and of 1826, had all been produced by the sudden contraction of the issues of the country, which had been previously deluged with paper money, beyond the amount required by its internal and external commerce. It was said now, that the quantity of shipping was increasing in this country, and not only here, but in Canada; but the fact was, that though more vessels might now be built in that colony than had formerly been built there, they were brought home almost immediately afterwards, and sold for little more than half of their original cost. The new ships not only could not find sufficient employment, but in what they did obtain they interfered with the employment of those vessels with which our ports were already overstocked. The right hon. gentleman had said, that within the last year there had been an increase of British shipping, beyond the increase of foreign shipping in the same time. That fact might easily be accounted for, without at all proving that our shipping interest was in a better situation than it had formerly been. The increase referred to, was the consequence of that system of over-trading which the right hon. gentleman deplored, and which, when we were importing from all parts of the continent, had occasioned a demand for the service of all the British shipping; and when their numbers were exhausted, and not till then, had had recourse to foreign shipping to aid in satisfying the powerful commercial excitement which had been created. The shipping interest were mistaken if they imagined that the right hon. gentleman could alter his course for their particular benefit. He could not do so: and if he did, he would not do enough. What course, then, must he pursue? Why, he must not only follow his principle of free trade, but must go on further, he must reduce every tax and burthen which affected the shipping interest of England, so as to place them in the same situation as the shipping interest of other countries. He had long attempted to make ministers adopt this course, but it was only last session that he had been able to induce them to reduce the duty on shipping—a duty which was then equal in amount to the profit that a foreigner expected to derive from the freight of his vessel. The stamps on policies ought also to be reduced, and government ought now to be convinced, that they could not raise the present amount of taxation at the same time that they determined to carry on the principles of free trade. They had altered their currency, and they should have reduced taxation to meet that alteration. He had given his support to the alteration of the currency, but it was because he thought any thing was better than that artificial system on which the value of all the property in the state might be in a moment raised or depressed. With respect to the state of trade, generally, he must say that, in his opinion, nothing could be worse. There were no symptoms of amendment, and parliament would much deceive themselves if they thought that, with our present amount of taxation—with prices extravagantly high upon one article and very low upon another—with our shipping exposed to so many burthens from which other nations were exempt, and whilst other nations paid moderate taxes—the trade of this country was likely to revive. He confessed he did not envy ministers their responsibility with respect to the state of the country generally. In the course of his own time he had seen many depressions of the different interests of the country; but he had never seen a time when the national energy seemed at so low an ebb, and gave so little promise of being able to right the vessel, or enable her again to rise with the tide. It was not, however, the fault of the right hon. gentleman opposite. He could do no more than what he had already effected: his measures had not produced the present distress; and he was justified in calling, as he had done, on those who attacked those measures, to make their attacks openly and distinctly; and not to rely on vague assertion, when they attributed to him evils that had their source in causes very different from those of the principles which he had advocated.

Mr. *Haldimand* said, he did not mean to enter into a detail of the arguments, respecting the right hon. gentleman's commercial policy, but he could not refrain from expressing his opinion, that the right hon. gentleman had pursued his theory with a little too much eagerness. He made this remark without at all intending to charge all the evils of the country on that theory; which, however, he believed could no longer be pursued, unless a reduction of taxation was effected that would enable our merchants to compete with foreigners in the various markets of the world. We had been engaged in a conflict with the whole of Europe, which had brought great burthens upon us, and had so augmented the national taxation, that every interest in the country was fettered, and in a condition that ought to excite great alarm. It was far from his disposition to desire to debar foreigners from a participation in the benefits of British commerce; but, in the first instance, we ought to look with caution into our own affairs. We ought to look at the means by which this country had arrived at the pitch of grandeur it had attained; and then turn to our present enormous expenditure, and endeavour to ascertain how the career of prosperity was to be maintained with an expenditure of nearly sixty millions a year.

Captain *Gordon*, in alluding to the increased quantity of foreign shipping which had been in our ports since the passing of the reciprocity acts, took occasion to observe, that he was not at all surprised at it. Foreign ships, he was well aware, could be bought and navigated at a much less expense than our own, in consequence of our ship-builders having to send abroad for most of their materials, and also in consequence of their having to pay a greater sum for wages and provisions. Merchants, who had goods to freight, would naturally send them by those vessels which asked the least price; and, as the foreigner could afford to convey at a less price than the British shipowner, it was no wonder that, of late years, a greater quantity of foreign shipping had arrived in our ports. He had never doubted that this would be the effect of the system of reciprocity. Though he had no knowledge of political economy, he was inclined to believe that the increased amount of exports and imports was a proof of increased prosperity; and yet he could not conceal from himself a suspicion, that the cause of that increased prosperity might, some how or other, turn out to be prejudicial to the shipping interests of this country. It had hitherto been the policy of this country to afford different kinds of protection to its different interests. Whether that policy had been right or wrong, he would not at that moment pretend to decide; but this he could say, that, under the system of protections, every interest of the country had risen to a degree of unparalleled prosperity. How far the system of reciprocity might tend to increase that prosperity he could not tell; but it did appear to him, that the effect of it on the shipping-interest was not at all satisfactory. Indeed under the existing circumstances of the country, he was afraid that we could not compete with the foreign shipping; and more especially with that part of it which belonged to the northen states of Europe.

Mr. *T. Wilson* said, that he could not concur in the view which the right hon. gentleman below him had taken of the present state of the shipping interest. The right hon. gentleman had ascribed the present distressed state of it to the over-trading which had recently prevailed throughout the country. Now, that over-trading was owing to the government and not to the merchants; and therefore the right hon. gentleman was not justified in saying, that the merchants were themselves to blame for the depression which existed in every department of the shipping interest. He admitted, that when the freights were high last year, we were enabled to compete with the foreigner; but he complained that, now that they had fallen, we were unequal to that competition. He could show to the House, by a series of details, that of the arrivals in the river since the beginning of the month, the proportion was as three, or at least as two, to one in favour of foreign shipping. So long as the British ship-owner was obliged to pay 3*l*. 10*s*. per month, and the foreigner only paid 20*s*., for seamen's wages,—so long as the former paid 6*d*. for beef, whilst the latter only paid 2*d*., this result could not be avoided. If we gave reciprocity to foreign shipping, we must, in justice to ourselves, put a countervailing duty on every thing that was imported or exported in them. He admitted that the trade of France was valuable to us; but contended, that if the French government did not think right to enter into a system of reciprocity with us, we had no right to abuse that government, as if it had been acting hostilely towards our commerce; but we had a right to protect ourselves, by placing countervailing duties on their goods, if we did not place it on their shipping.

Mr. *Rumbold* said, that he wished to bring under the notice of the House certain duties affecting our shipping, which, though they were of small account when considered separately, became of some importance when considered collectively. He concurred with the hon. member for Coventry that what was wanted to enable the British to compete with the foreign ship-owner was a reduction of taxation. He held in his hand a statement of the charges which had been paid by a small vessel of 71 tons, on her voyage from London to Petersburgh. The fees for pilotage were 10*l.*, and the other charges, including tonnage, &c., were 44*l.* 18*s.* Now, this appeared to him to be quite enormous. He had frequently pressed upon the House the necessity of making some reduction on the pilotage; and he should think that the right hon. gentleman could have no objection to making some reduction of it in the case of the smaller vessels; on which it fell most heavily, in consequence of their making, in a general way, more than one voyage in the season. He admitted that the last pilotage act was a great advantage to the shipping interest; but he thought that it might be still further improved, by altering the graduations of it. The hon. gentleman then called the attention of the House to the comparative cost of fitting out ships in a foreign and in a British port, and entered into a series of details, by which he proved, that a ship which could be fitted out in Prussia for 120*l.*, could not be fitted out in England for less than 340*l.* He trusted, however, that the alarm which was now felt by the ship-owners would cure itself; or that, at any rate, it would be put down by some well-considered measure in the next session.

Mr. *Hume* was of opinion, that the country could not congratulate itself at present upon the state of the shipping interests. He thought that if the right hon. gentleman would leave out of his calculation the increase of our shipping which had taken place last year, in consequence of the speculations which then were so prevalent, he would not find that there was any just ground for exultation in the existing state of it. The whole of the difficulties of our shipping interest resolved themselves into the increase of our taxation. The hon. member for Coventry was correct in stating, that that was the cause of our evils, and had rightly added, that our attempts to apply palliatives first to one part of our system, and then to another would never bring us back to a right system. In the year 1792 the amount of our ships was 16,000; in the present year it was 24,000. Here was an increase of 50 per cent. But what did the House think was the increase of our taxation in that time? Why, it was 400 per cent. He thought the right hon. gentleman had no right to take the increase of our shipping in any one year, as it was an unfair criterion, and certain to lead to erroneous results. He ought rather to have taken the average increase during a given number of years; and if he had done so, he would have found that the increase was not so great as he had stated, and that our shipping interest was in a worse situation than it had ever been in before. Here the hon. member entered into several details to prove this assertion. After he had concluded them, he proceeded to advise the right hon. gentleman not to continue his tax upon certain articles used in ship-building, as cordage, timber, &c., which, though they might not be of much consequence, taken separately, amounted to at least ten per cent on the value of every vessel. Now, a tax of 10 per cent on the hull of a vessel was enough to make the builders direct the trade to any other country. In looking at the great increase which, according to the right hon. gentleman, had taken place in the number of ships built during the last year, the House would observe, that the amount of tonnage built in the plantations amounted to 52,000 or 53,000, whereas the usual average had not formerly exceeded 11,000 or 12,000. This could not create the slightest surprise to any thinking man; for it followed of course, that individuals would prefer to build ships in any other country rather than in that in which they had to pay an extra sum of ten per cent. The two last years were not, he repeated, a fair criterion to judge by. He would undertake to say, that if the right hon. gentleman would take any other number of years as a criterion, he would find that we had not more employment for our ship-carpenters than we had thirty years ago. This appeared to him to be a serious consideration; and he trusted that it would induce the right hon. gentleman to remove all the unnecessary charges which at present bore so hard on the shipping interest. He would not, however, be content with the removal of these charges. He was convinced that unless our ship-owners could get provisions much cheaper than they got them at present—unless they could reduce the rate of wages which they paid to their sailors, a measure which might easily be effected by abolishing impressment, which naturally tended to increase the rate of wages—unless they could have the duties on policies taken off, and the fees on pilotage much lessened, their present sufferings must continue, and our shipping interest be entirely ruined. In conclusion, he regretted the outcry which had been raised against the principles on which the right hon. gentleman had been recently acting. Nothing could be more unjust than such an outcry. The evils under which the shipping interest now laboured were not to be attributed to the change of system which the right hon. gentleman had introduced, but to the weight of taxation under which the country laboured, and which alone prevented it from flourishing.

Mr. *C. Grant* declared his intention of not trespassing long, at that hour of the night, on the attention of the House; indeed, he could have wished that hon. gentlemen, instead of rushing wildly into this discussion, had waited until they had seen the papers printed which his right hon. friend had presented. They would then have avoided many errors into which they had now almost unavoidably fallen. The hon. gentleman who had just sat down had told the House, that his right hon. friend had deceived himself in the view which he had taken of the shipping interest. To that observation he would merely reply, that the printing of the papers would best decide whether his right hon. friend or the hon. member for Aberdeen were correct in the view they had taken of the subject. The great object which his right hon. friend wished to accomplish by his statement of that night was, to prove to the nation, that the complaints made against them out of doors were utterly unfounded, and that the measures which he had introduced had not had any effect in diminishing the commercial marine of the country, but on the contrary had considerably increased it. If, at the same time that our commercial marine had increased, our foreign commerce had also improved, it was an accession to our commercial wealth, and formed no cause of complaint against his right hon. friend. He admitted that the two last years ought, upon a general view of the question, to have been left out of the calculation of his right hon. friend; but there was a sufficient reason for his right hon. friend's introducing them, particularly into his statement of that night; and that was, that the earliest reciprocity act was passed about two years ago. Much had been said, in the course of the evening, of the expenses to which British shipping was liable. Undoubtedly it was subject to greater charges than foreign shipping; but that was not a new discovery; on the contrary, it had been the subject of remark more than a century ago. He did not state that fact to justify the continuance of the present charges, but merely to show that the difference of expense in fitting out the British and the foreign ship did not make the difference in their employment. The question of the charges to which British shipping was liable had been taken into consideration by the committee upon foreign trade. They examined several witnesses on the subject; and the result of their deliberations was, that though the freight in British vessels was dearer, there were circumstances connected with them, as their better building, navigation, seamanship, &c., which made the merchant give a preference to them. As a collateral support of the assertions of that committee, he would tell the House, that in America the chairman of a committee on American navigation had observed, that though American navigation was dearer than ours, they were enabled to support it, because they were enabled to make three voyages where we only made two. He mentioned this to show that the mere question of cheapness was not supposed to settle the matter. At that late hour he would not go further into the subject. It had been already exhausted by his right hon. friend. Attempts had been made out of doors to cast odium upon the measures introduced by his right hon. friend; and the manly course he had taken was, to come forward at once with the statement he had made to the House, and which he had no doubt would prove satisfactory both to the House and the country.

The several motions were then put and agreed to.

HOUSE OF COMMONS.

Wednesday, May 17.

CORN IMPORTATION BILL.] On the order of the day for bringing up the report of this bill,

Sir *T. Lethbridge* said, he did not object to the report being brought up, but he rose to take the last opportunity of saying one word against the measure. He should not give any opposition to it in its present stage, because such opposition would be useless and vexatious. He submitted to the superior wisdom of his majesty's government backed by a large respectable and powerful majority in the House; and he could not disguise from his view, that the measure had also been supported elsewhere in a manner equally strong, and equally setting at nought any thing like opposition. He should for these reasons feel exceedingly blameable in his own estimation, if he attempted to give one moment's further opposition. He considered, however, that all his majesty's ministers had given a pledge that nothing that had been done in consequence of the present exigency would prevent this or the other branch of the legislature from entertaining any measure for the general adjustment of the Corn-laws—that nothing which might now be passed into a law as to the mode of opening the ports, or as to fixing duties, should prejudice the general question when that was brought before the House. He took that opportunity of entering his protest against any thing of the sort being drawn into a precedent; and he did this in spite of all the intimidations he had received from quarters which he despised from the very bottom of his heart, and which intimidations he knew had been sent to him in order to stop the honest expression of his opinions, which he had presumed to utter in the discharge of the duty which he owed to the country at large. No degree of intimidation, however gross, personal, or dangerous it might be, should ever deter him from the discharge of his conscientious duty. He was, therefore, the more earnest in entering this solemn protest, from his having been personally insulted by individuals, whose menaces he had treated with the most profound contempt. He therefore hoped the government would recollect that they had given such a pledge, and as the parliament had thrown the responsibility on them, he trusted they would use their power with discretion, in the event of the contingency occurring which they contemplated.

The *Chancellor of the Exchequer* said, that in consequence of what had fallen from the hon. baronet, he had no hesitation in saying, upon the subject of the pledge which the hon. baronet had understood his majesty's government to have given, as to the mode in which the proceedings of this year might operate on the decision of the House in the next, that he could assure the hon. baronet he thought it would be the shabbiest course any government could by possibility adopt, if they were to depart one iota from the pledge they had given, and which he was quite ready to repeat; namely, that the decision the House came to on this occasion as to this measure, ought not, and could not, be taken to prejudge, in any way, the fair discussion of the main question, whenever it should be brought under consideration. With respect to what the hon. baronet had said of intimidations applied to him, he was sure it was quite consistent with the hon. baronet's character, to treat such intimidations with the contempt they deserved.

Mr. *H. Sumner* said, he concurred in the general measures of his majesty's government, because he considered them characterised by wisdom and candour; but the present measure he considered unwise and uncalled for, and he regretted he had not pushed his opposition to it still further, in order that the county which he had the honour to represent, might have had an opportunity of petitioning the House on the subject. A meeting was, in fact, held for that purpose on Saturday, but, in consequence of the bill having passed through the committee, their object had been defeated.

Sir *R. Heron* considered that the present measures could do no harm, because they would be inoperative. One of the evil consequences flowing from these discussions, was to generate a belief that the interests of the agriculturists and the manufacturers were opposed; whereas, in fact, they were one and the same. If he yielded his consent to the bringing up the report now, it was certainly most reluctantly. The landed gentlemen would have consulted their own interests by having opposed the measure in every stage; and if he saw any encouragement, he would divide the House now.

The report was then brought up, and the resolutions agreed to.

HOUSE OF COMMONS.

Thursday, May 18.

Court of Chancery.] The *Attorney-General* rose, in pursuance of a notice which he had given on a former night, for the purpose of moving for leave to bring in a bill to carry into effect the measures recommended in the Report of a Committee of Inquiry into the Practice of the Court of Chancery. He should premise that it was not as a member of that commission that he now rose; the duty of bringing forward the bill he was prepared with, had devolved upon him, merely in consequence of his professional situation. The House, however, must be aware, that it would be necessary for him —after the various allusions which had been made by members to this subject, and the various debates which had occurred upon it—to enter at some length into the consideration of the manner in which the commissioners in question had performed their duty; the particular facts to which they had directed their attention; and the nature of the measures (the general measures, he meant) which they had recommended in their report, for the adoption of parliament. The House would also feel, that in detailing those measures, he must of necessity be led into much detail—perhaps of a dry and uninteresting nature, if considered by itself—but if honourable gentlemen considered that that detail was connected with one of the very highest judicial establishments in this kingdom—an establishment involving so much of the property, and so many of the interests of the whole community—he was persuaded that they would bear with him for a time, however dry such a detail might prove. Many observations had, at different times, been made, in that House, as well as out of it, upon the constitution of the commission to which he was now referring. It had even been said, by one individual, that nothing good could reasonably be expected from a commission which was composed of such parties as this. Indeed, in that House it had been affirmed, for he had heard it, that it was perfectly ridiculous to anticipate any good result from a commission so constituted. If, in an inquiry into the proceedings of an establishment thus closely affecting many interests and much property in the kingdom; and involving so much matter of a strictly technical nature; and such important considerations in every respect, —if it was really an objection to the persons appointed to conduct such an inquiry, that they were individuals deeply conversant with the subject to which it applied—of long experience connected with that subject—of great and acknowledged talent; then he must admit that the objection, in respect of the present commissioners, would tell with full force and effect indeed. For it would have been impossible to have selected, throughout the whole country, a greater number of persons possessing more information on that subject, or longer or more extensive experience, or greater ability, as applied to the objects of such an inquiry, than the commissioners he spoke of. But it had been further objected, that even admitting the correctness of the facts reported by them, still their feelings and prejudices must be such, that it was impossible to anticipate any important effects from their labours. He begged leave to appeal to the members of that commission who sat in parliament—some of whom were his personal friends, and from some of whom he was in the habit of differing upon political questions—whether, as to the proceedings of the commissioners themselves, it was possible for any such inquiries to have been conducted with a greater spirit of fairness and liberality of conduct? Although he had not himself the honour of being in that commission, he had been an attentive observer of its acts and its progress; and he would take upon himself to say (nor did he fear contradiction from any man who was acquainted with those proceedings) that any one suggestion of an abuse of any description, which was brought before this commission, was directly attended to by them; and an investigation into the particular abuse immediately instituted. When it happened to be established, after such investigation, that some further inquiry into the particular case or fact was expedient, the same facilities and means of investigation (and he again appealed to his honourable friends for the correctness of this statement) were afforded, during the whole course of this commission's inquiry. He did think, therefore, that not only could there be no reasonable objection to the constitution of this commission, but that the same observation applied very strongly to the tone, the temper, and the spirit, in which that inquiry had been conducted.

But then it had been said, touching the report which the commissioners had laid upon the table of that House—or, rather, the report which had been presented to his majesty, and by him referred to parliament — that the commissioners had overwhelmed their report with the immeasurable and unwieldy bulk of evidence they had attached to it. He had heard insinuations thrown out against them, as if it had been their object to cloud the question (on which they certainly desired to be most perspicuous), both to parliament and to the country. But surely it was impossible for them to have pursued any other line of conduct than that which they had adopted in the matter. It was impossible for them to do otherwise than to communicate that literal copy of the evidence which was now printed, and annexed to the report made to his majesty. He was quite satisfied, moreover, that if that evidence had not been added, as it now appeared, some hon. member, the very day after the presentation of the report to the House, would have moved that such evidence should be printed. If the commissioners, again pursuing another course, had selected from the whole of the testimony taken before them that part only which they might deem most valuable, and most proper to be submitted to this House, then they would have been accused of garbling; and a similar motion would certainly have proceeded from some member on the other side, for the printing of the whole. The commissioners, therefore, must have felt that, in fact, they had no alternative but that on which they acted; namely, to take the whole of the evidence and annex it to their report. That his hon. and learned friend, the member for Winchelsea, could not object to this mode of proceeding, was clearly to be inferred; for, at the close of a former session, his hon. and learned friend expressed his hope, that the government would not be satisfied with laying the report merely on the table of the House; but that they would produce, also, every particle of the evidence which might happen to have been taken by the commissioners during the whole course of their inquiry.

He wished the House to be informed, in the next place, of the manner in which this evidence had been taken, and the way in which this investigation had been conducted. Of course, the commissioners had thought it incumbent upon them to refer to persons who were best acquainted with the subjects of their inquiry, but they did not exclude any evidence whatever. Any individual who conceived that he had abuses to complain of, which abuses he attributed to the oppressive or the unjust operation of chancery proceedings, was received before the commission, and admitted, if he pleased, to give his evidence. And, in order that there might be no doubt on the subject of these examinations, the evidence of a party, after being taken down by the person appointed for that purpose, was regularly transmitted to the deponent, in order that he might read over his own testimony, and ascertain whether it was correct or not. There could be no complaint, therefore, on any side, afterwards, of misrepresentation. That inquiry, altogether, and from first to last, in short, had been conducted with the utmost candour and fairness, and the most anxious desire to detect abuse wherever it really existed, and to provide a remedy for it, wherever it could be discovered.

In proceeding to consider the manner in which the commission had been conducted, and the matters to which its attention had been directed, it appeared to him very important to notice some remarks which had been thrown out on the subject of a more extensive and important reform of the court of Chancery. He had heard an opinion intimated in that House and elsewhere, to the effect, almost, that the jurisdiction ought to be extinguished. He had heard it maintained, that it was a jurisdiction which should not be allowed to exist; that it was not founded on the common law of the country; that it was supported by no statutes of enactment; and that it ought to be got rid of altogether. If there was any foundation for these reflections, then the labours of the committee must have been completely misdirected; and, instead of consuming their time in an inquiry into the nature of the proceedings of such a jurisdiction, they should have at once recommended its entire abolition. He would beg the House, however, to consider how important, in the present state of the property and the law of the country, that jurisdiction had become; and how utterly impossible it now was to get rid of it. The House would forgive him, if he occupied some little portion of their time in pointing out a few of the legal objects to which the jurisdiction of the court of Chancery was applicable. Every Englishman almost, however slightly he might be acquainted with the legal institutes of his country, knew that nearly the whole of the property of this kingdom was vested in trust for a variety of purposes. It was well known that this was the case, not in regard to real property alone, but that almost all personal property was vested in trusts (either expressed or implied) for its preservation. And was it not obviously and extremely necessary that a jurisdiction should exist somewhere, for the purpose of securing those trusts, or of compelling their performance; seeing how large a portion of the wealth of the kingdom was involved in their due discharge. But, as it was notorious that courts of common law had no jurisdiction in matters of this nature, a jurisdiction like that of Chancery must exist. There were various other cases, in which a court of common law would be quite inefficient to redress injuries, which the powers of the court of Chancery would reach immediately; those, for example, wherein it was usual to apply to the latter for injunctions. Supposing that he were possessed of a patent, or a copyright, which was infringed upon by another party, he might, indeed, apply to a court of common law, and, after a year, perhaps, obtain a verdict of damages for the specific injury sustained, and on which his action was brought; but, in the mean while, the piracy or the infringement might be carrying on with comparative impunity. The only means by which he could prevent this latter injury was, by obtaining an injunction from a court of Equity, which would immediately suspend its operation. Was not this a case which sufficiently proved that such a jurisdiction should exist? He was not saying where it ought to exist; but he asked whether it ought not to exist somewhere? Another of those legal objects was, the performance of specific contracts. A court of common law could not give damages in such cases, except for breach of the contract; and even then, the party might be thrown into prison, and the suffering plaintiff would lose his damages. Why, then, it was necessary that there should exist a court empowered to compel the performance of a specific contract, according to the letter and spirit of the writing under which it was conditioned for. Another case for the interference of a court of Equity must be considered as one of immense importance in a commercial country like this: he meant, the settlement of accounts between partners. A jurisdiction for this purpose, again, it was absolutely necessary should exist, and it had been vested in Chancery; and, when he said this, he repeated that he was not now contending for the particular quarter in which it should be confided, but for the necessity of having it. Another class of cases was that of frauds of various kinds—such as those in which a court of Equity alone could compel the surrender of deeds fraudulently obtained or withheld; a most important function, which courts of common law could not exercise; and if to those cases the House added those wherein the protection of the interests of widows and infants was intrusted to the courts of Chancery, he might safely put it to them, whether they would hold that a jurisdiction of this nature could or ought to be dispensed with. The question, then, remained, where must that jurisdiction reside? for he assumed that it must be somewhere. To those who contended, that a system of equity jurisdiction was adverse to the interests of the country, and who were for having it united with that of the courts of common law, he would beg to point out the danger of such an alteration. In the first place, it would be absolutely necessary to double the number of all the courts of common law; and with what sort of advantage could this be done? The nature of the two jurisdictions was so perfectly distinct, that if those courts would afford one day for the equity of a cause, they must devote another to the law. Nominally there would be but one tribunal; but, in reality, there would be two; and this, without the substantial advantages arising from the present system of administering justice in our courts of common law.

According to that system, as it now existed, a pretty sufficient share of previous study, preparation, and long experience was required in those who were so to preside in those courts; and, under the circumstances of the country, the system of our equity law had become so refined, that it depended, also, very much on decided cases and precedents; and its principles and practices were equally difficult to be mastered with those of the common law. He would ask, therefore, whether it was at all probable that the two systems of equity and common law could be properly or beneficially administered by one court. But, in fact, had they no rule to guide their judgments on this question? An hon. friend near him had just suggested one that was most apposite. They had a rule: but it was not one which they would wish to imitate. He was alluding to the court of Exchequer; not, however, as at present constituted, but as it was constituted at the latter end of the last century. An alteration had subsequently taken place in it. The Exchequer, as the House would be aware, had a jurisdiction at common law, and another at equity. Before the change he had just adverted to took place, every body who desired to have a question at common law, in which he happened to be interested, well tried, would apply to the court of King's-bench and not to the Exchequer; and every body who had an equity case to be determined would carry it into the court of Chancery in preference to the Exchequer court. Here, then, was an instance which would not be very strong, he thought, to induce parliament to abandon the old equity jurisdiction, in which equity alone was administered, for the purpose of uniting an equity and a common-law jurisdiction in one and the same tribunal, as in the Exchequer court prior to the commencement of the present century. Indeed, so greatly was the inconvenience of the union of the two jurisdictions felt, that an hon. and learned gentleman, accustomed to vote upon the other side of the House, brought in a bill to effect their separation on that very instance. The consequence of this proceeding was, as gentlemen already knew, that since the equity jurisdiction of the Exchequer devolved on the chief baron entirely, while the common law one was administered by the other three barons.

It appeared to him, that he had now succeeded in establishing these two main points; first, that the equity jurisdiction which at present exists in this country must continue to exist; secondly, that the facts and cases he had mentioned tended to prove, that not only must such a jurisdiction continue to exist, but it must exist in courts separate and distinct from those of common law. He inferred, therefore, that the country would derive no benefit from a change of the principles upon which that equity jurisdiction in the court of Chancery was founded. A word or two as to this branch of the subject upon which he was addressing the House. If it were admitted to be better that this jurisdiction should exist separately from that of the common law, must they make any effectual change in the substance of that equity system? What was the substance of that system? It was the proceeding by bill, and the answer upon oath. With this machinery, and this mode of proceeding, the jurisdiction was most powerful. Take away the answer upon oath—alter the jurisdiction in that respect,—and they would leave it useless and powerless. Why, then, hon. gentlemen who had done him the honour of listening to the statements into which he had entered, would allow, he thought, that he had established the positions, that this equity jurisdiction must exist in separate courts from those of common law, and substantially in the form in which it at present exists.

Having laid down these positions, he begged hon. members to observe how they applied to the question before the House. To what principal points had the attention and inquiry of these commissioners been addressed? To what subjects had their attention been called with a view of rectifying the abuses which were supposed to exist in the court of Chancery? It was impossible for the persons who composed this commission to have imagined for a moment that the jurisdiction must not continue to exist; and exist in this proceeding by bill and answer upon oath. Let that be laid down as a principle, and it would then be seen, that it was absolutely necessary for the commissioners under such circumstances to confine their attention to those points and to those points only. Here, then, was a system that did exist, and must continue to exist, substantially in the same form. But it was complained, that it gave rise to great expenses, and great delays. And how were these evils to be met? That was the problem that the commissioners applied themselves to solve. They said, "Here are defects which we may remedy; and if we may put an end to many of these expenses, we may diminish much of the complaint against the jurisdiction." This was the plain course for them to pursue; and they had pursued it with a laboriousness, an activity, and a care, which had never been surpassed by any commissioners.

His observations had hitherto been of a general nature; but he trusted the House would consider them not inapt, for the purpose of introducing some others, applying more immediately to the real question before the House. Those he had already submitted had been intended to prove, that the points to which the attention of the commissioners had been carried, and the manner of their inquiry, were, in every respect, the most proper. Referring to the report itself, it would be seen that the commissioners, naturally enough, had begun with the very first step in a cause,—the subpœna for personal attendance. It had been complained, and with great justice, that the terms of that subpœna to an unlettered man conveyed no sort of definite information. The commissioners had taken care, therefore, in the first place, that for the future this subpœna should be so formed, as to be clear and intelligible in its expression. It was apprehended that, in town causes, more delay than was proper was allowed to intervene before the defendant pleaded or demurred, as the case might be. In town causes the return was usually but short, compared with country causes, in which it was much longer. The commissioners found that the time which a defendant could, under the present system, take before he entered his appearance in the suit was too long, and they therefore recommended that the period should be abridged.

The hon. and learned gentleman then observed, that he proposed to notice only the most important of the propositions contained in this report, and referred to that which regarded the process served on parties not appearing. At present, if the party being served did not appear within a certain time, he was liable to have an attachment taken out against him. Under that process the sheriff might take him and throw him into prison. By the present practice, he might be brought up by Habeas Corpus; but, if he still persisted in refusing to appear, an appearance might be taken for him, by authority of the court. The commissioners were of opinion, that these measures were unnecessary and burthensome. If, said they, we have here an authority to enter an appearance for a contumacious party, why all this unnecessary expense? Instead, therefore, of waiting till the sheriff returned the party in contempt, they proposed, after the lapse of a certain time, to obviate all the expense and inconvenience of such a mode of proceeding, by the entry of such an appearance, in defect of the party's presenting himself. With respect to putting in answers,—as a general proposition, the commissioners suggested, that there should be allowed eight weeks for that purpose in town causes, and ten in country ones. By the present system, if a party refused to answer, he was first liable to be taken by an action; then he might be brought up by Habeas Corpus to the bar of the court; and if he still refused to plead or answer, might be committed to the Fleet Prison. From thence he might be brought up again by another writ. He was next called upon by an alias pluries, and if he still refused to put in his answer, a pro confesso issued. The commissioners had considered all those writs, and had decided, that if, after a certain time had elapsed after the filing of the bill, the defendant did not put in his answer, he should be taken pro confesso. Then, if he was not taken pro confesso, the sheriff returned non est inventus; then the defendant was attached by proclamation—the writ of rebellion followed that—the next, the sergeant at arms and lastly came sequestration. It was proposed to do away with all that machinery, and take the summary remedy at once.

In the next place, they would suppose that the defendant had put in his answer. That answer might be evasive. It was essentially necessary that the plaintiff should have the power of compelling a clear and specific answer to the questions which he proposed. If, therefore, the answer should be evasive and insufficient, the plaintiff had a right to except to it. This was an extremely important point, and he begged the attention of the House to it. Mark the consequences of an exception to an answer, under the present system. The plaintiff having put in his exceptions to the insufficiency of the answer, the defendant contended, that the answer was sufficient, and the question was then referred to the master, who, perhaps, decided against the sufficiency, and in favour of the exceptions. The defendant appealed from the master's decision to the vice chancellor. The cause was set down for hearing, and perhaps three or four weeks, perhaps three or four terms, might elapse before it was decided. The vice chancellor decided against the answer, and confirmed the master's report. The defendant then said, that he was not satisfied with the opinion of the vice chancellor, and he appealed to the lord chancellor. The cause was set down for hearing, and, after another delay, was decided, and the report of the master again confirmed. Was this final and conclusive? By no means. The defendant might appeal to the House of Lords. The cause was again set down for hearing, and a year, or a year and a half, might elapse before it was decided; and then the result would be the confirmation of all the previous decisions. The defendant then had as much time allowed for putting in a further answer, as he would have had if he had taken no exceptions to the master's report. The further answer might be insufficient, and the same round of decisions and appeals might be gone through again. He did not mean to say that the course of proceeding which he had described was always pursued; but it was certain, that a defendant had it in his power to, and not unfrequently did, avail himself of all those causes of delay. A third answer was put in, and this, like the other two, was for the purpose either of gaining time or of causing vexation, insufficient. Then came the fourth answer, in which he was bound to put in a good and sufficient answer to the bill, or else be taken pro confesso. He need not remind the House of the delays that must be necessarily attendant on such a course of things; and yet such, he had been assured, had been the practice, since the time of lord Bacon. It had been carried on during the chancellorships, and with the sanction of lord Nottingham, lord Somers, lord Hardwicke, and lord Camden, down to the present day.

The subject had engaged the attention of the commissioners, and they recommended that the decision of the master should be final, and that a period should be prescribed within which a second and a third answer should be put in, and if the third were not satisfactory, the defendant should be committed to custody. He was aware that great diversity of opinion existed as to whether the decision of the master, upon exceptions, should be final, and it was fit that the point should be maturely considered; but if he obtained leave to bring in the bill, an opportunity would occur, in a future stage, for debating all such particulars. The commissioners had bestowed the most anxious attention on the subject, and their opinion was, that the decision of the master should be final, unless he himself chose to refer the question to a higher authority. It sometimes happened, that after an answer was put in, the cause was substantially at an end. The plaintiff found the answer to be completely decisive as to the merits of the case, and was satisfied that he could not proceed further. After the cause was thus substantially at an end, and the plaintiff was unable to proceed another step, and did not intend to do so, the bill could not be dismissed for three quarters of a year. This was not all. The plaintiff might then, by taking advantage of a mere form, prevent the bill from being dismissed for three quarters of a year longer. This was a practice which called for remedy. The commissioners had in consequence recommended, that if a plaintiff did not undertake to speed the cause within the first term after the answer was put in, the bill should be dismissed.

He would next beg the House to consider the wide difference between suits in equity and suits in courts of law. In the courts of law they tried one or two simple issues; in the courts of equity several issues were tried, extremely complicated, wherein the parties were all differently interested, and drew in different directions. The duration of a suit in a court of law, and the duration of a suit in equity, were not therefore to be compared. According to present practice, a party was not entitled to call for the dismissal of the plaintiff's bill in less than a year and three quarters. To this evil the commissioners had directed their attention, and also to another, which was this—Almost in the last stage of a suit, when delay after delay had taken place, and when the party was on the eve of being dismissed, all he had to say was, "I am advised to amend;" and, on the payment of nominal costs, the case had to begin de novo, and all the former machinery was renewed. This could be repeated: he had the same power in every stage: he had only to say "I wish to amend." The commissioners said, "You shall not amend after a particular stage, and not more than once." This power of amending was most essential to the party, because he amended on account of the answer which was put in: the answer obliged a party to amend; but it was a power which should not be abused, and therefore the commissioners recommended that the party should not be permitted to amend more than once, unless a proper case was made out to the satisfaction of the court. Another and a most essential check was this—the party now amended without the payment of costs; but the commissioners said,—"You shall pay the costs of the order for amending;" and this will prevent improper applications. Herein the commissioners had acted wisely. He hoped the House would not misunderstand him, when he pointed out these delays which might take place, if parties were willing to abuse the opportunities afforded them,—to affirm that it was common for this power to be abused. There had, however, been instances of gross abuse; but if there had been but one instance, it was the duty of the House to interfere.

As he had already shown that the jurisdiction of the court of Chancery must exist, the commissioners could not do more than they had actually effected. That they had pursued a wise and judicious course, every person in that House, he felt persuaded, must agree. His hon. and learned friend, the member for Calne, (Mr. Abercromby), than whom there was no person more competent to form a judgment upon this subject, must approve of this part of the report; for his hon. and learned friend had observed upon a former occasion, that a great deal might be done in abridging the causes between the commencement and the issue, and that it should be a special direction to the commissioners to attend to this point. The commissioners had pursued the course here suggested; and he confidently appealed to the hon. and learned gentleman for his support on this part of the question. He would here beg to deviate for a moment from the course which he had marked out, to state the course of a Chancery suit. After the answer had been put in, the parties might go to a hearing by bill and answer: the plaintiff, however, might amend. Evidence was then gone into before an examiner, and the case and evidence then came before the judge; but as questions often arose not exactly fit for discussion in an open court—such as matters of debt, and points requiring close investigation,—the judge directed these points to be heard before the master, who investigated the subject privately, and made his report to the judge. After this, the cause was set down for final hearing. He had pursued the case up to the issue; there was bill, answer, and evidence. By the present course the evidence was taken before the examiners by interrogatories, not viva voce, as in a court of law; and it formed a very important subject of consideration for the commissioners, whether this practice should be continued or not. He confessed that his prejudices, as a common-lawyer, were strongly in favour of vivâ voce evidence; and he could not understand, at one time, why a different course should be pursued in the court of Chancery from that adopted in a court of law. After reading the evidence taken before the commissioners, and after mature consideration however, he confessed himself a convert to the practice of the court of Chancery. He was convinced that no advantage would be gained by a change in the mode of taking evidence in that court; but that, on the contrary, a great injury would arise. He would refer to one most important consideration; namely, that the evidence could not by possibility be heard by the judge who heard the cause, unless the court was entirely remodelled, and unless two or three additional judges were appointed. If the party who ultimately decided the cause, decided it on evidence taken vivâ voce by another, all the advantages attending vivâ voce evidence would be completely lost. Such evidence so taken could not be allowed to be decisive of the cause; it would be sent in the shape of an issue to be tried by a jury. If no advantages were gained, what was lost? The expense was increased, and the suit was prolonged; for questions would arise respecting the admissibility of evidence, and whether the decision was one way or the other, delay would be produced. He had seen evidence taken before the commissioners of bankrupts, and the length to which it extended, and the inexplicable confusion which it exhibited, were such, that he could not have made up his mind to decide on such evidence. Besides, these examinations would go on without end. A party would be able constantly to supply any deficiency he might perceive in his proof; hence the examinations would be protracted, and there would be strong inducements to the commission of perjury. Plausible, therefore, as the alteration seemed, it would be productive of no real advantage; but, on the contrary, would be attended with the disadvantages he had described. He remembered that one of the witnesses, a gentleman of great experience now retired from the bar, Mr. Bell, when he was asked whether any instance had occurred to him in which the ultimate justice of any case had been disappointed by the present mode of examining witnesses in the court of Chancery, replied, "I do not recollect any case in which I have gone out of the court with a dissatisfaction of the decision of the fact, where the judge, in the first instance, thought proper to decide. Whenever it was a case where one could entertain a serious doubt, the judges have always sent it to an issue." He referred to this opinion with confidence, for there was no individual who had possessed more extensive experience in that court. This question had been discussed in another country; the same topics had been treated of, the same view had been taken, and the same result had been arrived at. According to the constitution of the state of New York, no alteration was allowed to be made in the constitution, or in the system of administering justice there, unless proposed in a convention. About four or five years since, a convention was summoned to consider some alterations of the judicial system. It was there stated, that the law of the state was the English common-law, modified by new statutes; that their court of Chancery—was constituted precisely on the same principles as ours. It was proposed to abolish the court of Chancery, not to abolish its jurisdiction, but to unite the equity court to the courts of law. The proposition was discussed with great talent, particularly by one member; and, after a full consideration, it was deemed more wise and expedient to continue the present system. It was also discussed whether the examination of the witnesses should be vivâ voce, and an individual of great weight and respectability in that state, Mr. Kemp, had expressed an opinion which he would quote, because it coincided with the opinion delivered by Mr. Bell. [The hon. and learned gentleman then read the opinion, which stated, that during the period of the English Commonwealth the existing mode of examining witnesses had been observed; that it had produced no injury, nor had a case been lost or injured by that mode; that if it were altered the mode proposed would increase expense and delay, and lead to abuses prejudicial to the court and to the public.] Here was an extraordinary concurrence of opinion between experienced persons in two different countries. It was proposed by the commissioners, that no alteration should be made in this point. If, in the progress of the bill, it should appear desirable to adopt any alteration in this respect, it could be introduced hereafter. He believed that there were several persons who had entered upon the inquiry with the same prejudices upon this point as himself, and who, in the progress of the inquiry, had arrived at the same conclusion as he had come to.

He had now brought the matter down to the time of hearing; but he should postpone what he had to say on this head, till he came to consider that part of the case which related to the second hearing after the Master's report. Every body must be aware that great delays existed in the Master's office. He had been curious to ascertain the cause of these delays: he wished to know what led to them. The House and the country were not to imagine, from what he had stated, that the inquiries could be despatched with great expedition. The subjects which came before the master required great time for investigation; such as, intricate accounts, disputed titles and pedigrees, and questions of detail, which consumed a large portion of time. All the commissioners could do was, to take the circumstances under consideration, and provide the best remedy they could. Under the present system, the master was passive. He could only wait until the case referred to him came before him, as he had no means of compelling the attendance of the parties. Summonses might be issued on the one side which might be neglected on the other; that added to the expense of the suit without benefitting the suitors. Now the commissioners had made it their business, having ascertained where the fault lay, to provide the remedy, and that would be by rendering the master an active person. The commissioners recommended, in the first instance, that where a reference was made to the master, and the decree should not be brought into his office within six weeks of its having been made, the benefit of that decree should be lost. When the decree got before the master, it was proposed that he should have the power of enforcing the attendance of the parties interested, for the purpose of expediting the matter through his office; and if he saw either of the agents inattentive, that he should be permitted to act without him, by transferring his duty. If, therefore, the suggestion of the commissioners were carried into effect, and the master was attentive to his duty, there would be no longer any complaints of delay in his office,—they had only to invest the master with the power to act, and there would then be a person responsible for the delay, if it should occur.

He had now brought the case down to the final hearing, from the commencement. The commissioners had travelled the same route before him, and he thought he could say with confidence that not a single circumstance had escaped their attention. He now came to the consideration of a most important point—What use was expedition in the progress of a cause, unless there was an expeditious decision? This point had not escaped the commissioners. It was necessary to apply a remedy, and an adequate one, to the evil as it existed. Before he inquired into the extent of the evil, he would mention the remedy they had prescribed. He was perfectly sure that gentlemen would think the remedies wise and proper; the only question was, whether they were operative or not. With respect to appeals: according to the present practice, on the hearing of an appeal from the vice-chancellor before the lord chancellor, new matter was introduced; although, from the very nature of an appeal, it ought to be decided on the old facts. Instead of which, a cloud of new affidavits was introduced before the lord chancellor, who, in fact, decided on a new cause. Nothing was more unjust to the character of an inferior judge than this proceeding. It was an anomaly in the nature of appeals for new matter to be introduced into an appeal from a subordinate to a higher tribunal. The very nature of an appeal called into question the judgment of the inferior, which ought to be reviewed by the superior, on an examination of the same facts. But it happened, from the circumstance of the lord chancellor and the vice-chancellor being considered as belonging to the same court, that this extraordinary anomaly had crept in, whereby a party could resort to indirect means of remedying a defective cause. The hon. and learned member for Calne had pointed out this as an evil demanding redress. The commissioners had recommended, that there should be no appeal allowed except on a consideration of the same facts. The effect of this regulation would be to diminish the number of appeals; for it was owing to the admission of new facts that appeals had so much increased.

There was another measure of considerable consequence recommended by the commissioners, and which he regretted he should be the instrument to bring forward. The measure to which he referred was the limitation of the number of counsel to speak in a cause. He regretted that it should fall to his lot to propose a regulation, which appeared calculated to prevent the junior members of the profession, from distinguishing themselves. But he knew so much of the character of the profession, that he could undertake to say, that there was nobody that possessed more probity and public spirit, nor more readiness to sacrifice their own interests to the good of the country, than that to which he had the honour to belong. After a long experience of their character, he was convinced that if they were satisfied the measure was necessary, they would submit to it with alacrity. The time which would be thus saved was evident. In page 96 of the report, Mr. Hamilton was asked, "How many counsel, to the best of your knowledge, were heard on each side?" He replied, "I think I counted seven on one, and five or six on the other; and there were as many in a case arising under Howard and Gibbs's bankruptcy." Only let the House think of this. They had heard him (the Attorney-general) for a considerable time, with great patience—let the House only think of seven of them! In another part of the evidence it was said, "there were seven or eight counsel in that cause: each of them spoke at great length." The lord chancellor made it a rule to read all the affidavits in a cause; and in the case of "Senior against Smith," there were eight counsel and ninety-six affidavits. He would, therefore, leave the House to draw their own inference as to the mischiefs of such a practice. Besides which, the fewer the counsel the better chance the client had of having his cause properly conducted; as, where seven or eight were concerned, they were each too much inclined to rely on the other; but where there were but two on each side, the best exertions of those two would be afforded to the client. But, if such a measure was calculated to injure the younger members of the profession, practising in the court of chancery, there was another suggestion of the commissioners which would, perhaps, in some measure compensate for it. The practice in that court at present was, that the seniors made all their motions at once; so that it rarely happened that a junior could make a motion. The same system was in vogue in the court of King's-bench, until lord Mansfield came to the head of it; and it was not above once or twice in a term that a junior could make a motion; but lord Mansfield altered that, by taking the bar in rotation, each member making one motion. It was now proposed, that in the court of chancery, no member should make more than two motions following; so that that would give the juniors an opportunity of making them more frequently.

There was another recommendation of the commissioners, which could not fail to be productive of very great advantage, by operating as a check upon the practice, now so general, of appealing from the vice-chancellor to the court of Chancery. They recommended that no person should be allowed to appeal from the vice-chancellor to the higher tribunal who could not produce the certificate of counsel, pledging himself to the sufficiency of the grounds on which the appeal was made. In this instance, too, the commissioners adopted a recommendation thrown out on a former occasion by the learned member for Calne. It might occur to gentlemen, that such a certificate could not, at all times, be obtained, without much difficulty, as it would be for the interest of counsel to promote litigation. He recollected, upon one occasion, to have heard it asserted in that House, that counsel were in the habit of recommending the prosecution of actions, though aware at the same time that there was no chance of success, and the assertion was, at the time, contradicted by an hon. and learned friend of his, the member for Winchelsea. He would not stop to inquire how that might be, but here it was perfectly clear that the case must be quite different. A counsel, in private conversation with his client, and under circumstances where he felt confident that no record was to be preserved of his opinion, might possibly recommend him to enter upon an action, knowing that there were no grounds for it. Here it was different. The certificate recommended by the commissioners could not be given without its being known to the court, to the judges, to the whole profession, and to the public; so that a professional man would naturally feel himself placed in a situation of responsibility. It could never therefore degenerate into mere matter of form No person, having a regard to his character would venture to sign such a certificate unless he felt that there were real and substantial grounds of appeal.

So much for the course recommended with a view to diminishing the number of unprofitable appeals. To that course he anticipated very little objection: but he now came to a part of the subject upon which greater difference of opinion might exist—the management of proceedings in cases of bankruptcy. The measure which was recommended by the commissioners had two objects as regarded questions of bankruptcy; the first to lessen the number of bankruptcy cases brought before the lord chancellor; and the second to facilitate the decision of such cases as should still continue to be brought before him. Now, let the House first observe the inconvenience which attached to the present system; and then the manner in which that inconvenience was to be got rid of. As the practice now stood, every question of fact connected with proceedings in bankruptcy came before the lord chancellor upon affidavit; and every hon. member who was familiar with legal transactions, knew how difficult — he might almost say impossible—it was, upon affidavit, to decide upon any disputed question satisfactorily. In the first place parties could not be compelled to make affidavits. Next there was no power of cross examination. Thirdly, it required an immense deal of time to balance and weigh conflicting testimony given in this way, particularly where either party was desirous of concealing the truth. For the serious operation of all these drawbacks, he appealed without fear to the hon. member for Peterborough (Mr. Scarlett) or any other of the legal members who were in the House. Now what was proposed was, that, in the first instance, a certain number of commissioners should be elected, who should be the first judges applied to in all cases of bankruptcy. These commissioners were to form a court, which should decide, not upon affidavit, but by witnesses examined viva voce before it, upon all facts, in the first instance, disputed in cases of bankruptcy; and after their decision, each party should have a right to appeal to the lord chancellor in person, if he desired to do so. The effect of this would be, that a great number of cases which now came before the lord chancellor would be disposed of by the commissioners, and never trouble his lordship at all; and, moreover, that those which still went into the upper court upon appeal would be decided there, not by the present lengthy and inconvenient system of hearing upon affidavits, but upon the notes of evidence taken by the commissioners before whom the cause had originally been investigated. Thus far, therefore, having endeavoured to show the way in which the time, both of the vice-chancellor and of the lord chancellor himself, was proposed to be saved, he now came to the no less important branch of the subject—how far this saving of time proposed was sufficiently material. Now, upon this question he might as well state, that in addition to the measures already detailed, it was intended to relieve the lord chancellor from his jurisdiction in cases of habeas corpus; but, upon this question, which connected itself with what were called the arrears of the court of Chancery, it was scarcely conceivable what a mass of misrepresentation and misunderstanding had gone forth. The House would be surprised, after all that it had heard as to the arrears of the court of Chancery, to learn, from the best authority, what was the real state of the case. With respect to the vice-chancellor's court, in which all causes were first heard upon petitions, the arrear of business was very small indeed. The late master of the Rolls, it would be remembered, had laboured for a long time under severe illness; in consequence of which a slight arrear had been occasioned in the vice-chancellor's court; but previous to that event there had been no arrear of business before his honour at all, and the causes set down in Easter Term had been regularly disposed of in the Trinity Term following. In consequence, however, of the illness first of the late master of the Rolls, and then of the present vice-chancellor, at the close of the year 1824, an arrear of about seven terms had been created. In eighteen months, which had elapsed since, that arrear of seven terms had been reduced to four. This was an extent of delay not greater than was experienced in the court of King's-bench; and he had no doubt that, in twelve months more—without any assistance from the new measures—that arrear would be worked up altogether. Substantially, therefore, there was no occasion to provide for any arrear of business, in the court of the vice-chancellor. And now, then, to look to the lord chancellor's court, with respect to which there prevailed just the same degree of exaggeration and misunderstanding. The portion of the lord chancellor's business which the House would now have to look to, lay in the rehearings and appeals: some gentlemen had declared that it would take forty years to work up the arrear of the lord chancellor's court, as to those two departments. The fact was, that in the month of January last, the total amount of causes in arrear had been 109. How little that arrear of business had increased within the last few years, might be gathered from the fact, that, by the return ordered in the year 1802, the arrear of causes then had stood at 105. No gentleman who was acquainted with the mode of transacting business in the lord chancellor's court, but must be aware how very quickly that arrear would be got through, if his lordship had only the power of directing his undivided attention to it. He had in his possession an account of the whole business which had been done in the lord chancellor's court during the last three years; and he regretted that it was not formally upon the table of the House, that honourable members might see the laborious life which that noble and learned person actually led. The fact was, that not a day elapsed in which the lord chancellor was not called upon to hear something or other in the shape of a motion, which it was of the highest importance to the parties concerned to have immediately disposed of. In a great variety of cases, where a hearing was not obtained instantly, the whole object of the proceeding was lost. In the case of an appeal for a decree, the hearing must be instantaneous. The proceeding, perhaps, embraced the whole merits of the cause; but, if the decree was not allowed to be carried into effect, the whole value of the appeal was lost. If it were said, that the lord chancellor lent himself too readily to requests of this nature, the answer was, that he trusted—what else could he do?—to the representations of counsel. The lord chancellor could have no intuitive knowledge of the merits of a case; he could only appeal to those who were acquainted with them.

He could only say to a barrister—"If you assure me, as a gentleman, that if I do not take this case out of its common course, the greatest mischief will accrue to the parties—if you assure me that the thing is so, I will hear it." In questions of injunction—of lunacy—in a great variety of other proceedings—day after day, the same thing constantly occurred to interfere with the regular business on the paper; and yet, with all this, the House would observe there was no increase of arrear. The arrear was almost the same now as in the year 1802. There was no arrear of bankruptcy cases or motions; the only arrear was in the rehearings and appeals. The question then was—how should this arrear be got rid of? It was easily answered. The vice-chancellor's court needed no alteration at all; and all that was to be done was wanted only for the court of the lord chancellor. In that court, then, every thing which went to save time would tend to reduce the arrear (which was not increasing); but it was hoped that the measures recommended by the commission—which diminished the number of counsel allowed to be heard—limited the quantity of business to be done in the court, and simplified that which was actually transacted—it was hoped that, subject to the operation of these measures, the existing arrear of 109 causes (which, as he had already said, was not increasing) would soon entirely disappear.

Having pointed out, as briefly as he could, the modes by which it was proposed both to diminish and facilitate the details of business in the Court of Chancery, he had little more to add beyond a hope that the House would feel the commission to have done its duty. The commissioners did not claim, in their report to have done every thing which might be done; but they had done all which, in their opinion it was wise or expedient, in the first instance to do. Let their present plan be carried into execution; and when the working of that alteration was seen, if further remedies were needed, those further remedies might be applied. In what he had stated to the House, he trusted it would be admitted that he had abstained entirely from every personal or party allusion. He had done so, because he thought that the object now was to amend, or make perfect, a great and important system; and, in fact, so completely did he feel the system, and the system alone, to be the subject in question, that he had not even once alluded, except incidentally, to the noble and learned individual who had presided for so many years, and with such distinguished zeal, and learning, and ability, over it. He abstained from such a course, because he felt that the character of the noble and learned lord, was not involved in the inquiry, and that nothing it was in his power to say could add, he would not say to his merits, but to the praises bestowed upon him, even by those who were his political opponents. He was in the House when his hon. and learned friend, the member for Calne, pronounced a panegyrick on the merits of that noble lord, which far surpassed in eloquence any thing he could say—when he bore testimony to the artlessness and simplicity of his manners, his anxiety to do justice, the depth and extent of his legal knowledge, the solidity of his judgment, and his vast and capacious memory. To go further, and to quote the opinion of one who, as his means of judging had been great, so his political hostility to the noble lord had been most marked—he might almost say most active—the late sir Samuel Romilly had said of the lord chancellor, that no man he had ever known, or read of, had possessed more talent to qualify him for his place. That he had never met with a judge so anxious to do justice to the suitors in his court; that if he had a fault—as what man had not? it was an over nicety and anxiety upon that head. To testimony like this, it became impossible for him to add any thing. The noble and learned lord had been fifty years in the service of the public. From the first moment when he had attracted the public eye, he had been marked out for the high situation which he now held; and not one act had there been in his whole life, which had not affirmed the opinion originally entertained of him. It was but due to the lord chancellor to say, that, as a member of the commission his conduct had been most active, candid, and liberal. No man could have been more ready to point out difficulties, to rectify any abuses, or to check any needless expenses in the constitution of his court, than he had been. Further in the way of commendation it would be offensive for him to go; and he had already, he feared, too long occupied the attention of the House; he should, therefore, sit down with moving

"That leave be given to bring in a bill to regulate the Practice of the Court of Chancery."

Mr. *John Williams* said, it had never been his intention to anticipate the motion of the attorney-general, and by several postponements, not unsuitable to the topic of discussion, he had shown that he was willing to concede precedence to the clear and luminous statement just delivered. Through that statement he should not follow the hon. and learned gentleman; but he could not avoid observing, in the outset, that although his hon. and learned friend had taken a wide range over the report of the commissioners, he had omitted all explanation of the immediate object of the bill. For any thing that appeared to the contrary, the reforms to which he had alluded, these exploded and ridiculous errors, these continued abuses, the bare statement of which excited ridicule and contempt, might have been amended by a simple order of the court. The lord Chancellor, the court of Chancery, and the Commissioners, would, no doubt, by themselves, or by some representative of the whole body, return most hearty thanks to the attorney-general for the gorgeous panegyric which he had bestowed upon them. He (Mr. Williams) would, however, show what they had done, and what they had omitted to do; and then it would appear how far they had ascertained whether the courts of equity, as at present constituted, were capable of administering justice, in the manner in which it ought to be administered. The attorney-general had said, that the delays which had been so much clamoured about, were fancied grievances, and had no real existence; yet he trusted he should be able to show that those grievances were not fanciful, and that the commissioners had not done enough to silence the clamour that was raised all over the country against the practices which prevailed in the courts of equity. Still he hoped the report would do some good; and when good was done, no matter from what quarter it came. The people now did not look to the individual who did an act, but to the act done; and they were ready to give their just applause to any individual for the good he had done. Whatever good this report might do, it was all to be ascribed to an eminent individual, who really monopolized all the merit of the act. The credit of originating this inquiry was wholly due to his friend the hon. member for Durham. He hoped the report would do some good; for the least abridgment of the time which had been usually spent in the administration of justice in the equity courts must do some good. But, in the accurate and luminous speech of the attorney-general he had not heard any thing which showed that the subject had been fully investigated. Whether the report applied to the main body of the grievances complained of, was a matter which he would sometime or other examine. The report, however, had excited public attention, and he now confidently expected that it would soon be thoroughly known, whether the proceedings in the equity courts were as perfect in theory and in practice, as they had been represented to be. He apprehended it would appear that their merits were very little, and their mischief very great. There once existed a lawyer, or quasi lawyer, named Cicero, who had complained of the mischievous practices of certain courts and lawyers in his time, and those were the chancery lawyers of his age and country; but the panegyric of the attorney-general on our equity system, was so florid and gorgeous, that he would have cheered him, had he not been rather ashamed to do so; since he observed that nobody else did. The attorney-general had stated, that the commissioners had taken all the proceedings in the equity courts seriatim; and suggested such alterations as they thought might be properly made. But was not the attorney-general aware, that almost the whole of the reforms mentioned in the report might have been made by the court of Chancery itself? The fact was, that almost the whole of the abuses mentioned might have been remedied by the court five and twenty years ago: and if the individual at the head of that court had fulfilled all the expectations formed of him—one who had been half a century in the profession, and for a quarter of a century in its highest office—if that noble and learned person had all that acuteness and intelligence which the attorney-general had ascribed to him, how happened it, that in so long a period he had not corrected those abuses, which could, at any time, have been done by a simple order of court? He had suggested that this course should be taken two years ago; and, if that course had been taken, the commission would have been unnecessary. That this course might have been taken he would show upon the authority of an eminent chancery lawyer (Mr. Bell), who had mightily praised the court of Chancery, and very naturally, since it was to that court he owed his fortune, and all the fame he had. "Much," said Mr. Bell, at page 392, "should be left to the discretion of the judges, who, I think, are competent, without legislative assistance, to make most of those reforms which have been alluded to, and are best able to do it, as they may vary and alter their rules as experience demonstrates the necessity; and without the cordial support of those who are to carry them into execution, the best digested plans will fail." This confirmed him in his opinion, that the court itself might have long ago carried into effect every thing that was now recommended by the commissioners. In this opinion he was further confirmed by the observations of Master Stratford:—"The above resolutions are respectfully submitted to the commissioners; but it is a matter of great regret, looking to the circumstance that the more material ordinances heretofore made for the regulation of the several offices of the court of Chancery, were made by the lord high chancellors for the time being, or persons holding the great seal, from the time of lord Bacon downward, not forgetting even the time of the Protectorate, and much less the times of lords Clarendon and Nottingham; and looking also not only to the learning, but the experience and the wisdom of the present lord high chancellor; that he has not followed the example of his predecessors, and of himself determined what alterations in the practice of the several offices of the court may now be usefully made, and ordained accordingly." And still, notwithstanding the manifest, and now avowed, inconveniencies of the existing system, no alterations or improvements had ever been made. With reference to the report itself, he did not make the fact a subject of complaint, but it did appear that it had not by any means been generally assented to by the commission. As to the remedies suggested for the abuses of chancery which were recommended by the commissioners report, it would be dealing unfairly not to state, that there was a division in the profession as to whether, if those one hundred and eighty-seven propositions were adopted, a public benefit or a public mischief would have been the result. As to his own individual opinion on the subject, he believed that there was at all events, a very reasonable prospect, that the public would have been benefitted by the adoption of those measures. It had been stated by the attorney-general, that the commission had afforded every facility to inquiry; that they threw their arms wide open to complaint; and that the whole profession were invited to furnish their suggestions, and to offer such hints for the improvement of the chancery system, and the remedying of its abuses, as their experience might suggest. When the commission was about to commence its labours, it was stated that they had given notice to the profession that they were willing to receive such hints as would be found useful, and to adopt them, if approved. But neither the solicitors, nor the metropolitan law societies, were applied to or consulted, although the evidence of the former body of men in particular would have been found most useful. Indeed, he had been informed that no person, who had not been especially summoned, had been brought before the commissioners. He had not heard of one single volunteer; and not one witness had been called upon, who had not been specially summoned to attend. He therefore contended—and he thought he had a right to contend—that although the evidence brought forward before the commissioners was not, perhaps, deficient in weight, there certainly was, from the circumstance he had stated, a considerable diminution of authority on the face of the report. Another circumstance that furnished, in his opinion, matter of just complaint against this report—and his hon. and learned friend must excuse him if he stated that he certainly had an original bias against the commission, for he did conceive that those who were appointed to act as commissioners were the last men who could bring their minds to bear upon the minute and complicated details which the chancery system presented—the other ground of objection was, that solicitors were not duly represented in that commission. Judges were well represented, and learned gentlemen with stuff gowns, and with silk gowns, and the masters and officers of the court, were all duly represented; but not a single solicitor had a voice in the commission. The reason implied, if not assigned, for this exclusion, might be found in the twenty-third page of the report, where it was said, that the delays in Chancery were to be mainly attributed to the solicitors. He did not believe one word of that charge. Every man who knew any thing of the conducting of a chancery suit must be aware, that large advances of money were frequently made by the solicitors at the commencement of a suit, in order to meet preliminary expenses and to fee counsel, who, in many instances, were nine or ten in number. On a question last term, the counsel for the plaintiff said he should be obliged to pay 300*l.* for an office-copy of the bill, in order to see what had been sworn against him, so that in this instance 300*l.* were advanced by the solicitor before the suit commenced. He mentioned this, in order to show that costly advances were constantly made by solicitors; and with this fact on record, with what consistency could that body of men be charged with creating delays in Chancery? Was it not their object that the suit should not linger—that it should be as speedily determined as possible? and for this sole and convincing reason—that the sooner it was decided, the sooner would they be reimbursed their heavy advances? With what show of truth or consistency could it be maintained, then, that solicitors were the cause of delays in Chancery, when their dearest interest lay the other way? He believed that if solicitors had been on the Chancery commission, they would have laid the blame of delay on higher quarters; who, perhaps, were not less liable to be implicated in a charge of that nature.—With respect to the subject of injunctions, the report had stated nothing satisfactory on that head. To this part of the jurisdiction of the court of Chancery he had great objection; because it operated to snatch from a suitor at common law the hard-earned fruits of his patience and labours, at the very moment when he was about to gather them by means of the last process in his suit—the execution. He objected to it as part of a system acting by two separate jurisdictions, upon two distinct sets of rules; by means of which the judgment of one court might be arrested by the interposition of another, and the suitor kept out of his rights as long as a suit in equity could be prolonged. The means provided against an abuse of this power, namely, by affidavit, under the recommendation of the report, he deemed a very incompetent remedy. It was merely a formal process, and would have no effect whatever in checking one of the greatest evils that ever disgraced the forms of judicial process. There was another point to which the report had not paid the least attention. He meant the question of contempts. It had fallen to his lot and to that of several of his friends, in the discharge of their duty in that House, to present more than one petition from parties actually in custody upon alleged contempts of the court of Chancery—not because they were contumacious, but because poverty prevented them from taking the requisite steps. He should not object to imprisonment so long as contumacy was evinced, but it was otherwise under the circumstances he had mentioned. His hon. friend the member for Montrose, in the course of the present session, had presented a petition from a person of the name of Richardson, stating that he was in custody for a contempt, under circumstances for which it was not in his power to provide a remedy. In that petition he confessed there were circumstances detailed which set his mind against the truth of the complaint. Those circumstances, which were without doubt in the recollection of the House, related to the imprisonment of a child of the age of seven or eight years, along with his step-father. He well remembered that the right hon. secretary for Foreign Affairs took the same view of the case as he did, and plainly declared to the House, that the thing was impossible; and he certainly did at the time think with the right hon. gentleman, that the allegation must be a shameless exaggeration of fact, of a nature to disgust all who heard it. From circumstances, however, which had since arisen, he had reason to believe that that statement was mainly true; for, in order to be correctly informed as to the merits of a case of such an extraordinary description, he had taken the trouble of writing to the governor of York castle, the prison where Richardson was confined. A reply had been forwarded to him verifying the truth of the statement in every particular, and stating distinctly, that the child was committed a prisoner for an implied contempt of the court of Chancery. What were the facts of this case? The boy had no father: he was confined a prisoner with Richardson, who was his father-in-law. The child, it seemed, had a title to a portion of an estate in right of its father;

and so, because it was said that the child had an interest in the property, a subpœna was issued against the child; and because he had no one to stand up for him the child was imprisoned from the month of October to the present hour. This was the system that was without reproach—the immaculate, unerring, court of Chancery. There was another subject which the commission had touched upon with a degree of gentleness that was truly edifying—he meant the subject of conveyancing. This, he contended, was very defective. A noble and learned lord, who had written a celebrated pamphlet on this subject, particularly charged the conveyancers with perverting words, and adding much to the labour of the courts by their mystifications. He also complained of the counsel for their long speeches. But of all the speakers ever heard of, the counsellor spoken of by the right hon. secretary for the Home Department, who kept up his speech for eight consecutive days, was the most extraordinary. He really hoped the name of that wonderful orator would not be lost to history, but that he would be handed down to immortality, as he deserved, as the head of a new department of oratory. He would now come to the most important part which the commission had overlooked in their report—he meant the three stages of a bill. The first stage was the time set down for a hearing; secondly, the hearing; and thirdly, the decision. In all those stages the delays were excessive. Had the committee taken pains to examine into the abuses which arose during the progress of a suit? Did they not know, in committees of appeals, that five or six years had elapsed from the time of setting down for a hearing, until the hearing actually took place? In the case of "the Attorney-general against Brooke," six years elapsed from the setting down to the hearing; and in the case of "the Attorney-general against Brown and De Tastet," it was nine years from the setting down to the hearing. In cases of motions, some of them had occupied two or three years before they were disposed of. Mr. Basil Montagu, the commissioner of bankrupts, had given three instances of prolonged cases of bankruptcy. One of those had been touched upon by the report. It appeared that they severally occupied nine, eight, and seven years up to the year 1824, and in 1825 two cases out of the three still stood upon the paper. Had the commissioners heard of the quantity of causes that remained for judgment when they commenced their labours? It would appear that they did not think an inquiry practicable, nor did they think they could produce any good, unless by diminishing the quantity of business. The House and the country both demanded that something should be done to expedite the business of a suit towards its termination. The period from the hearing of a cause until judgment should be pronounced upon it, was a stage, with respect to which the country was totally in the dark. That, he contended, was one of the most crying grievances of the Chancery system. It was the longest and most expensive period, not to speak of the increased anxiety and torture which every moment of delay gave to the unfortunate suitors. The expense at that time was enormous. He himself knew of a case, in which 1,000*l.* had been expended before judgment was pronounced. Instead of going upon evidence, the dexterity of his hon. and learned friend referred to papers; which mode of inquiry he, no doubt, found better for his purpose than the barren field of legal investigation which lay before him. By a reference to page 453 of the report, where the case of "Fitzgerald v. Balfour" was quoted, an instance would be found of the incorrect manner in which a minute had been taken. He would just read the passage. It was the case of a bill filed for the specific performance of an agreement entered into in the East Indies, respecting a debt from the Nabob of the Carnatic. "On the 30th of July, 1817, a motion was made before the lord chancellor that the defendant might be directed to pay into court the amount of the debt in question, with interest thereon at 12 per cent (the Indian rate of interest); and an order of some kind or another having (as it was supposed) been made by his lordship, minutes of such supposed orders were drawn up by the register according to the notice, and delivered out to me; but the defendant's solicitor having alleged that no order was made, or at least no order to the effect stated in the register's minutes, and which question the register (not having, as it afterwards appeared by his book, taken any minutes of his lordship's judgment) was unable to decide, a further application to the court became necessary; and on the 10th of December, 1817, such application was made, when the lord chancellor promised to look into the papers (which he took home with him for that purpose), and give his judgment at some future time thereon. No judgment, however, was afterwards given, although repeated applications were made by counsel for that purpose. On the 22nd of May, 1820, I took the liberty of addressing a letter to his lordship on the subject, in answer to which, he promised to give judgment on the Saturday following. No judgment was, however, given, and in the month of November 1820, I determined to set the cause down for hearing before the vice-chancellor, who decided that the defendant was bound to pay the principal debt, and 12 per cent interest thereon up to that day; but upon the defendant objecting to have interest decreed against him at the rate of 12 per cent, the matter was referred back to the lord chancellor, who decided that he had already made an order in the case. So that it appeared, that the matter slept for four years, subject to 400*l.* on one supposition, and 600 on the other, although the party was in the utmost possible distress and misery." In page 454, of the evidence in the case of "Erskine v. Garthshore," the whole business was obliged to be begun de novo, after an expense already incurred of at least 1,500*l.* But those were imaginary cases of grievance. There was no delay, no distress. "Oh," said, the hon. and learned gentlemen on the other side, "those are only individual cases." In the year 1814, an appeal was made against a decision of the vice-chancellor: from the year 1819 to the year 1824, a period of five years, this case was sometimes at the bottom and sometimes at the top of the paper, without being heard at all; and in July 1825, counsel wrote a letter to the lord chancellor, entreating for judgment. The lord chancellor sent him word he would decide it speedily; but he had not done so up to the present time. There was yet another case of a gentleman, a banker,—a Mr. Wellings,—who came into the lord chancellor's court, and addressing his lordship, stated that he had seventeen children and twenty-seven grand children; that he could not dispose of his property until the suit in which he was engaged was first decided; and he prayed his lordship to decide the case. The lord chancellor, in answer to this application, after reflecting a little, said, that he had given judgment six months ago; but it turned out that his lordship had omitted to hand the minutes to the Registrar, and the suit remained to this moment in statu quo. But, let the House mark the consequences in this particular case. The individual of whom he had spoken had been a banker. In March last there was a great run upon his bank; 32,000*l.* might then have saved him, but as it was, he became a bankrupt. Another case was that of "Simpkins v. Fowler." According to affidavits, this case waited four years for decision. He knew of another case that had been delayed thirteen years. The matter was depending from an appeal from the Rolls: the unfortunate suitor became a bankrupt in the mean time, and died in a poorhouse at Kensington. The hon. member next adverted to another case of delay, which he said he knew of his own knowledge to be correctly stated. He would not name the party to the suit, nor the solicitor who was engaged in it; but if asked, he would disclose their names. The hon. and learned gentleman, after detailing the progress of the suit from its commencement in Easter term, 1813, proceeded to state, that in Michaelmas term 1818, the appeal came on to be heard; but no decision, no judgment, was given. It had then stood for nearly six years, amid all the doubt and anxiety inseparable from such a cause. The party felt that the delay was a denial of justice, and despairing to live to see the final issue of the suit, he was at last obliged to make a compromise with the opposite party, much to his pecuniary loss. After this, he would ask the House were there any grounds for complaint? The hon. and learned gentleman then alluded to the expenses attendant on a protracted suit, which in many cases amounted to 1,000*l.*, in some 1,500*l.*, and in one instance to 12,000*l.* He should mention only one other case which he found in "Jortin's Ecclesiastical History." It was the case of a remedy for procrastination of justice, of a nature which he certainly despaired of finding recommended in the Report upon the table. The individual to whom he alluded was King Theodoric, who was represented as equally shining in war as in peace. A woman of quality had a case before one of his tribunals for a space of three years, and notwithstanding her efforts and those of her advocates to obtain a decision, her cause remained during the whole of that time undetermined. At length she made an application to Theodoric himself, who, having sent for the judges, and questioned them as to the cause of delay, was so little satisfied with their explanations that he caused them to be put to death. He then took the subject of dispute under his own consideration, and immediately gave sentence for the lady in question, issuing a proclamation, that any judge who should in future delay justice should incur the penalty of death. The effect of which was, that delays suddenly and completely ceased. This case was one which certainly had not been brought before the commissioners; and, adopting the language of "regard being had to the venerable age of the noble lord who presided over the court of Chancery," he would be the last to recommend any such thing. He would infinitely rather leave the noble lord to the commissioners of whom that noble lord was the head. He was sure those commissioners would not, any more than himself, hurt a hair of the noble lord's head. He was sure their mild and milky nature would not touch a feather of the plume of his patronage, authority, and high station. Their labours abridged none of the patronage or authority of the noble lord, but, on the contrary, they gave him more patronage in the nomination of new officers; never-ending cases, patronage and new beginnings were the order of the day. Although he would not say that the measure introduced by the attorney-general was not advisable, he would say that the two branches of inquiry, to which he had before called the attention of the House, ought to have been gone into, and, in the absence of information upon those two branches, the House could form no accurate judgment, and giving credit, therefore, to the hon. and learned gentleman, for the purity of his intentions, he must say that the House if they should, under present circumstances, legislate upon the subject, would be legislating in the dark.

The *Solicitor-General* contended, that the commissioners had done their duty in the report which had been made to his majesty, and laid upon the table of that House. He could, as one of those commissioners, bear testimony to the diligence with which his colleagues had applied themselves to the subjects referred to their consideration, and had discharged the important trust reposed in their skill and judgment. So persuaded was he that they had performed that duty conscientiously and effectively, that he had no fear of incurring the slightest risk in calling upon any hon. gentleman who heard him, to point out a single particular in which they had not performed that duty. It had been alleged, that they had not obtained all the information within their reach; that solicitors should have been made members of the commission. To this he would reply, that in similar commissions, solicitors had not been included; that, for instance, in the chancellorship of lord Hardwicke. But there was nothing in the commission itself, or in the course of proceedings adopted by the commissioners, which at all precluded solicitors from coming forward, and giving whatever information they felt disposed to communicate. Not only were they at liberty to attend, but gentlemen of that part of the profession were specially invited to do so, and the invitation was issued at the very first sitting of the commissioners, when it was signified that they might come forward and be examined, or make written statements of their views, relative to the questions under the consideration of the commissioners. If the hon. and learned member doubted this, let him apply to Mr. Lowe, and that gentleman would satisfy him that information from solicitors was not rejected, but was, on the contrary, sought after. Let him look through the list of witnesses, and he would find that this statement had the best foundation in fact, and he would find also that there were no less than twenty pages of the evidence of that same Mr. Lowe embodied in the report of the commissioners. In no case was the evidence or information of any solicitor rejected, in no case were any of them impeded in coming forward. On the subject of delays in giving judgment, it had not been found that any one attorney had come forward to give testimony. The hon. member for Malmesbury had been examined, and no one was better qualified than he was to give evidence on the subject of delays in giving judgment. But, proceeding without further notice of these topics, he would say that little remained for him to address to the House, if he could succeed in establishing a sufficient defence for the commissioners. This he was persuaded he should have little difficulty in effecting, and this he conceived was the only duty he had to perform; but he trusted that the performance of that duty would not be suffered to rest entirely on his shoulders, but that each commissioner would get up in his place, and vindicate themselves as a body from the imputations with which it had been sought to cover them. They should get up and declare, and prove, that they had done their duty, and meet the hon. and learned member for Lincoln on his own arena. He would now proceed to notice some of the leading points in the speech of that hon. and learned gentleman, and one of the first to which he would direct attention was one of a character most unfair—he meant that which would bring a charge against the practice of the court of Chancery, on the ground of particular cases brought under the consideration of that House, without the slightest notice. It was to no useful purpose that hon. members stood up with cases, which were previously unknown, and respecting which it was, therefore, impossible that any one could be prepared to vindicate the court of Chancery. He was satisfied that not one of the cases to which the hon. and learned gentleman had adverted would bear the character he had attributed to them, if there had been time given for inquiry and explanation. There was one case in which he himself had been counsel, and to which he could, therefore, the more particularly speak. It had been alleged relative to it, that the lord chancellor had delayed giving judgment; but it was to be recollected, that his lordship had never been called on to give judgment, counsel had never arisen to pray the decision of the court. He could assure the House that counsel had never been instructed for such a purpose; and surely there was no great delinquency in a judge's not deciding a cause, which he had never been called on to decide, and which he had every reason to think had been compromised. He was not sufficiently acquainted with the other cases which the hon. and learned gentleman had mentioned, to go into any explanation respecting them; but he was sure that if they were known and examined, they would be found to be equally destitute of ground for imputation against the learned lord at the head of the court. There was one case, however, which he could not pass over without some remark. It was one, founded not only on a misstatement of the fact, but on a gross calumny. It had been made the subject of a petition presented by the hon. member for Hull, and supported by the hon. member for Aberdeen. Loud complaints were made, that after twelve years, the lord chancellor had ordered the re-taxing of a bill of costs which had been taxed so long before. Now, what were the facts of that case? A solicitor in the case obtained from his client, not only his bond for the full costs of the case, but had taken a further security, by obtaining a mortgage for it on a legacy to which the client was entitled. The money was paid; but subsequently, when the case was brought before the lord chancellor, he ordered it to be re-taxed, and the money thus improperly obtained to be refunded. But it was said, that only 3*s*. 6*d*. was taken off one bill. Now the fact was so, as to part; but in another bill, arising out of the same case, 100*l*. was taken off. Yet this was called a three-and-sixpenny case, on which the hon. and learned gentleman had taken occasion to throw off so much asperity of language, a case on which he had indulged himself in so many pleasantries from Cicero and Theodoric; but, after all, it turned out to be the taxing of a bill of costs which had never been regularly taxed before. He was sure that, on this occasion he might calculate on the vote of the hon. member for Aberdeen, who had favoured them a short time back with forty-seven resolutions for regulating the finances of the country. He at least would not oppose the lord chancellor for having ordered the re-taxing of a bill which had been obtained by fraud. He had dwelt on these points thus much, not because he meant to contend, that there was no case decided by the lord chancellor which might not have been decided in a shorter time (for he would admit, that in his case, as in that of every honest and upright judge, a slight delay of a cause might sometimes occur, though without an intention to delay), but that the cases thus delayed were very few, and that in most of the cases complained of, the delays arose from circumstances over which the lord chancellor had no control. As to the general practice of the court, he would contend, without now going into the detail, that the resolutions of the commissioners, when carried into effect, would very considerably abridge the time and expense necessary to carry through a suit of Chancery. It might be asked, and he would admit the question to be a fair one, why had not any of those amendments and improvements now proposed been made by lord

Eldon? To this he would reply, that the general rules of practice in the court had continued the same from the time of Cromwell's commissioners down to the present period. In that time there had been many chancellors—many of them Tories, and some reformers — yet no attempt had been made (with the exception of some regulations of unimportant detail) to alter the practice of the court. If, then, lord Eldon erred in not having made such alterations, he erred in common with some of the ablest men which the country had seen at different periods at the head of that court. Even at the present day, lord Redesdale, who stood as an equity lawyer inferior to no man in Westminster Hall, was said to disapprove of many of the resolutions of the commissioners; and as he dissented, why, he asked, should the lord chancellor take upon himself the whole responsibility of the alteration? No doubt he, as head of the court, possessed the power to make them; but so had the lords King, Camden, Rosslyn, Thurlow, and others, who had presided in the court. But they had omitted to take on themselves the responsibility, and he was satisfied, that any error or inconvenience arising from such alteration would be attributed to the party by whom the alteration was made. In fact, no great alteration had ever been made in the practice even of our common-law courts, without the aid of legislative enactments, and on this principle—that the person making the alteration by his own authority would be considered rash and adventurous. The hon. and learned gentleman then proceeded to show some of the advantages which suitors would obtain by the alterations proposed by the commissioners. In some cases a year would be saved, and in others a year and a half; and in all, the duration of a suit would be limited to the shortest possible period, consistently with the rights of the litigant parties. The hon. and learned gentleman opposite had made some general objections, but he had not pointed out one of the propositions of the commissioners, as that which ought not to be followed. It was said, that great savings of time and costs might be made in many cases where no question of law was at issue, by allowing the masters a discretionary power to refer the matter to accountants. In this he concurred, and he would go further, and in cases where married women or lunatics were parties to a suit, would allow the master a discretionary power to refer the matters (not being questions of law) to arbitration. Another important improvement would be, that in cases of trusteeship a detached part of which was brought for the opinion of the court, the trustees were not to be compelled to administer to an equitable jurisdiction; but to take the opinion of the court only on what was wanted, and no more. Another satisfactory regulation would be, that parties bringing cases before the master of the Rolls, or the vice-chancellor, would have the power of appeal to the lord chancellor, or the House of Peers; but not to both. This would be a considerable saving of time and of expense. Another point, which had been much talked of, and from which great delays had arisen, would be improved in a way by which those delays would in future be prevented. As the law now stood, a solicitor in a cause, having obtained a decree, was not bound to bring it before the master, for the taxation of costs, within any specified time. But by the proposed alteration, he would be obliged to bring it within six weeks, and the master would be invested with the power of compelling him so to do, and would be responsible for its exercise. Without going further into detail, he would observe, that when the subject was fairly examined, it would be found that the commissioners had done all that could be fairly expected from them, to improve the general practice. One word on another point, which had been much dwelt on by hon. members on the other side. It was said, that the general business of the court had accumulated so much, that for the sake of the public, the jurisdiction over bankrupt cases should be detached from the court of Chancery. In this suggestion he could not concur: but he thought that the business before the commissioners of bankrupts might be so regulated as to remedy the evil now complained of. That evil was the bringing of so many unfinished bankrupt cases for the decision of the lord chancellor. Now, he thought the cure would be, so to select the commissioners as that they should have power and time to oblige the parties before them to state their whole case completely, and to have judgment given upon it. If this were done, he would say that nineteen out of twenty of the cases now brought before the lord chancellor would be finished without calling for his interference, and that cases only of real difficulty would be brought before him. But it had been objected to the report, that it recommended nothing which was calculated to exonerate the chancellor from any part of the business in bankruptcy. Now, last year no less than five hundred bankruptcy petitions were presented to be heard by the lord chancellor; and he would undertake to say, that by the amendment that was suggested in the report, three fourths of these would have been got rid of. It was said, the report ought to have recommended a separate court for the bankruptcy business; but he was persuaded that the merchants of this kingdom would not be willing that this power should be intrusted to any person less than the chancellor; and even if a separate court had been instituted for this purpose, there must still have been an appeal to the chancellor, and as appeals would have been preferred in far the greater majority of cases, the chancellor would have been relieved from very little burthen by the establishment of such a court. He would say no more on this subject; on which, however, he would not deny that there had been a slight difference in the committee. As to the case of the imprisonment of an infant which had been alluded to, this did not arise from, nor ought it to be attributed to, any defect in the system of the Chancery practice; but was owing to the negligence of the friends of the infant in not taking proper steps to prevent it. He believed the same thing might have occurred in the courts of common law, if there had been the like negligence on the part of those who ought to have attended to the interests of the infant. There was another thing which had tended very much to take up the time of the chancellor. When bankrupts conceived that they had been improperly committed by the chancellor, they had a right to cause themselves to be brought up by habeas corpus, either before the common-law judges, or the chancellor; and it had generally happened that they preferred being brought up before the latter, from his high character, and from the great patience and attention with which it was well known he always examined into these matters. Indeed, he himself knew, that during last year, the chancellor was occupied twenty whole days upon business of this nature. He would not trespass any further on the attention of the House; but when the bill came before them for their consideration, it would, of course, be competent for them to qualify or alter any of the resolutions, as they should think proper. The commissioners, however, he must take leave to say, had fully and impartially examined into every point in which they conceived any improvement could be made, and had spared no trouble in suggesting such amendments, as it appeared to them could be practically useful to that court.

Mr. *M. A. Taylor* said, that as many other gentlemen were desirous of delivering their sentiments on this subject, he should not have presented himself to the House on this occasion, but, from the line of conduct which he had so frequently followed with regard to these matters at former periods, if he remained silent now, it would have been imagined that he entirely approved of the report of the commissioners. He would admit that that report did possess some merit; but he could not avoid thinking that it had fallen far short of the object which it ought to have effected, and that it had left very much undone which it ought to have performed. That the commissioners had diligently investigated and examined into the subject, he would not deny. But, was that all which they ought to have done? He wished the House to look to the evidence of Mr. Shadwell, a most able Chancery barrister. When this gentleman was asked by the commissioners, whether he considered the judges of the court competent to get through the business of it, his reply was, that he was persuaded three angels could not do it. Yet the commissioners had entirely passed this matter over. They ought to have recommended the separation of the bankruptcy business from the great seal. He was well aware, however, that lord Eldon would rather part with his life than permit this separation to take place. He himself had had repeated conversations with the noble lord on this subject, and had sat on two committees relating to it. The opinions of these committees had been nearly unanimous. Sir Samuel Romilly, indeed, had doubted; but still, even he had said, that some measure ought to be adopted, to relieve the chancellor from the weight of the bankruptcy business. Besides, did the chancellor perform the bankruptcy business, except in the cases of appeals? He believed it would be admitted that he did not. The court of Chancery ought to be a court entirely independent of political power or principles. The judge of it ought not to be distracted by political business, but should be able to sit, de die in diem, for the despatch of business. He meant nothing personal against the chancellor—he had not the slightest wish to give him any offence, but he had a right to deliver, and he should not be performing his duty if he did not fearlessly deliver, his sentiments on this subject. He certainly did not think the report had gone any thing like far enough; and this he conceived would appear from the attorney-general's own statement. He himself and his friends had been working hard for twenty years, endeavouring to convince the government and the country, that the system of this court was not as perfect as it might be, and to procure some reform in it; and he might presume to say, that he ought to know something about the court, as he had practised fourteen years in it; but all their efforts had proved fruitless.—No attention was paid to their representations; but now, all of a sudden, a new light had broken in upon the government, and they had found out that the system was bad. But still it was said that most of the evils complained of were "fancied" abuses. When, however, men were ruined and undone, and when the fortunes of orphans were locked up in the court for years, owing to the system which prevailed in it, the sufferers would not readily be persuaded, that their grievances existed only in their own fancies. There was no need to specify or to enter into any detail of cases of this kind; they were already in print, and all who wished might read them. The learned gentleman stated, that there had been no delay. People, however, did not understand how suits could be going on for years without there being culpable delay somewhere. The commissioners would not admit that there was any just ground for a charge of delay against the court; although it was a notorious fact that there were suits in it which had lasted half a century. Would the country be satisfied if parliament neglected to abate so gross an evil? Would they not think their representatives worse than idiots if they failed to purge the court of the causes which led to so monstrous a denial of justice? What was the reason that so crying an evil had been so long suffered to exist? He remembered that when, many years ago, he submitted to the House a proposition upon the subject, a member of that House had a suit in the court of Chancery respecting a large estate, and had been complaining loudly of the great length of time the question had been before the court, without any judgment having been given in it. This was not more than two or three weeks before he himself, in 1810, brought forward his motion respecting that court; and, when he did bring forward his motion, that very gentleman voted against it. Upon this gentleman's afterwards going to sir Samuel Romilly, who was his counsel, to renew his complaints about the delay, sir Samuel told him that he had himself been instrumental in causing such delay by the vote he had given, and that he (sir Samuel) would not fail to do his duty in the cause, but that he never wished to see him again at his chambers respecting it. But it was said, if an appeal was to be allowed to the chancellor, no one would be satisfied with the decision of the commissioners; and the report was filled with compliments of the ability and patience of the chancellor. No one ever thought of doubting the chancellor's ability as a Chancery lawyer; but surely it was a libel on the bar to say that no person could be selected from it competent to decide on bankruptcy cases. Were not the attorney and solicitor-general, as well as some of the hon. and learned gentlemen who sat on the same side of the House as himself, fully qualified to perform a duty of this kind? When lord Eldon should be taken from them in the course of nature, what must they do if no one else were fit to discharge this duty? It had been suggested, that the hearing of the cases of parties brought up on habeas corpus should be transferred from the chancellor to the common-law judges; but he believed most people were of opinion, that instead of adding to the duties of these judges, they ought rather to take from them, for the labour which these learned personages had to undergo was immense. What then he would ask, had been gained by this report? The commissioners had not suggested any thing in it on that particular point to which their attention had been peculiarly turned by the direction of his majesty; namely, whether the court, as at present constituted, was competent to perform all the duties which were attached to it? He must say that he thought government were to blame in not having looked into this system before now, and in having suffered it to go on for so many years, notwithstanding their attention had been so often called to the evils which flowed from it. The solicitor-general had said, that he would have been a bold man who should have taken upon himself to alter this system of his own accord, and without the sanction of the legislature; and had contended, that lord Eldon had, in this respect only acted as former chancellors had done before him: but he would mention one instance in which a very considerable improvement had been made by lord Eldon, ex mero motu, and which he himself had repeatedly recommended without effect. This was the appointment of a deputy Speaker, who might sit in the House of Lords from day to day, for the determination of appeals. Before this appointment took place, there was a twelve years arrear of appeals, and within two years after it was made they were all disposed of. He could not see why a deputy Speaker was not quite as necessary in 1811, when he proposed that there should be one appointed, as in 1822, when the appointment was actually made. Whatever might be the talents or industry of an individual, it was not possible for him—it could not be expected of him—that he should be able to do every thing. The solicitor-general had contended, that there was no arrear of business in the court of Chancery; but he believed there was a very great arrear, and of that sort of business in which any arrear was most to be deplored—he meant of causes remaining for judgment. There was also a very considerable delay in making out the minutes of the decrees; and indeed the Register's-office was in a state of the greatest confusion. But he would conclude his observations, by repeating that he should wish more to be done on this subject than what had been recommended by the commissioners. He did not find any fault with them. He thought the report would do some good, but in his opinion it had not gone far enough.

Mr. Secretary *Peel* wished to say a few words on this question, but the moderate tone in which it had been discussed, and the considerate forbearance which had been evinced by the hon. and learned member for Lincoln, in not pressing his motion for referring the report to a committee at that late period of the session, would prevent many observations on his part, with which he might otherwise have been obliged to have troubled the House. The object of his hon. and learned friend, the attorney-general, was merely to get the bill printed, in order that a full opportunity of considering and examining into its principles might be afforded before next session. This was not the precise time for discussing those principles. He could not however, avoid saying, that the hon. and learned gentleman who had just sat down had not dealt fairly with that report. He had not treated it with his usual candour and justice. He had said, that the report had dealt very lightly on the subject of delay, and represented that a chancery suit might be beneficially carried on for fifty years. Now, the report had only said, that there was a great popular misunderstanding on the subject of delay, and shown, that in cases of trusts, and in matters relating to infants, it might often happen of necessity, that a cause must remain in that court for a great many years; and indeed, when it was recollected that property might be tied up for a life in being, and one-and-twenty years afterwards, during all which time the administration of it might unavoidably be under the direction of a court of equity, it would be readily seen that it might very possibly happen, without any delay, mismanagement, or prejudice, that a cause might remain in that court for half a century. It was to evince this, and correct a popular error, and not to palliate any culpable delay, that the statement was made in the report which had been alluded to by the hon. and learned member. Neither had the question as to the separation of the bankruptcy cases from the great seal been quite fairly stated by the hon. and learned member. Certainly, Mr. Shadwell had advised such separation; but then he was the only witness (and many other witnesses of the greatest knowledge, experience, and ability had been examined) who had recommended this; and Mr. Shadwell himself had proposed, that the bankruptcy business should be committed to four or five judges to be appointed for this purpose. The commissioners said, "We must pause before we can recommend the transfer of bankruptcy from the business of the lord chancellor; we have another expedient, which we consider to be sufficient to remedy the existing evil. If experience prove that the time of the lord chancellor is not sufficient for performing the business of bankruptcy and the ordinary business of his court, there is no alternative but to transfer it away from him." They added, however, this important remark to it—that the knowledge required to decide in cases of bankruptcy comprised a complete knowledge of the practice in equity; that the business in bankruptcy was not sufficient to occupy the entire time of one judge; that it was of a nature which required the existence of a court of appeal; and that the course which they recommended for adoption appeared in many points of view less open to objection than the entire transfer of bankruptcy from the court of Chancery. His hon. friend, on the other side, complained that the commissioners had not gone far enough in the recommendation which they offered to the House, whilst others of his hon. friends, and especially some near him, complained very loudly that the commissioners had gone too far, and had even sanctioned, by the innovations which they proposed in their report, certain attempts which had been made to degrade the character of the lord chancellor in the eyes of the country. What did he infer from these conflicting opinions? That the commissioners had steered sufficiently between the two extremes, and had submitted such propositions to the House as they deemed wise and necessary, even though they knew that such propositions must lead to very extensive innovations and reforms. He was likewise surprised at the different views which the hon. and learned member for Lincoln had taken of this report, on the present and on a former night. He had formerly complained that it contained 180,000 different propositions: he had now reduced them very quietly down to 187. He had formerly complained, that the report contained too much—he had now changed his note, and had found out that it contained too little. In the course of his speech he had declared that there were most important omissions in it. He had lamented, that the commissioners had not entered into the question of conveyancing, or into that of injunctions, or into that of contempt. Now, if the commissioners had entered into the consideration of these questions, it was his opinion that they would have entered into the consideration of an inquiry that was not referred to them. As he was convinced that the present was not a fit period for entering upon this discussion, he should conclude the few observations which he had to make upon this subject, by saying a few words upon the charge which had been made against the lord chancellor, in respect of the delay which was said to occur in the pronunciation of his decisions. Now, he would beg leave to read to the House part of the evidence on the degree of delay that was imputable to the lord chancellor. The evidence to which he wished more particularly to call the attention of the House was that of a gentleman whom he had not the honour to know personally, but who possessed a very high character for talent and integrity—he meant Mr. Basil Montagu. That gentleman began by stating, that there were not two men in the world who differed more widely upon all political questions than himself and the lord chancellor. He was, therefore, an unprejudiced witness on the subject. He further stated that with the late sir S. Romilly he had lived and acted, and that it was his pride to reflect on the long and sincere friendship which existed between them. He said, "There are delays in the pronunciation of the judgments which the lord chancellor is called upon to give. I cannot deny it; but I impute them to three distinct circumstances. The first is, that the lord chancellor takes a different view from that taken by his predecessors of his duties as a judge; for he feels himself called upon to decide, not only on the law, but on the controverted facts of the case. Other judges had referred the decision on controverted facts to a master or to a jury: but the lord chancellor makes up his mind to the facts as well as to the law in all cases of bankruptcy." Mr. Basil Montagu then stated, that he agreed with the lord chancellor, in the opinion which he had formed of the duties which his situation as a judge had imposed upon him in this respect. Would any man therefore condemn the lord chancellor, because he felt it to be his duty to make up his mind upon controverted facts, and because he took some time in doing so, with a view to save the suitors of his court the various expenses of litigation? It might be easy for the lord chancellor to act upon precedent, and to devolve such considerations upon other parties; but he conceived it to be his duty not to follow such a course, and he acted upon it, regardless of the imputations to which it was almost certain to expose him. The next case mentioned by Mr. Basil Montagu was, that in all cases of bankruptcy, there was no appeal from the lord chancellor's decision. The parties came to him as appellants from the judgments of the vice-chancellor, and the consequence was, that the lord chancellor naturally paused before he decided upon them, as he knew that there was no appeal from his decision. The third cause was one which he considered to be an honour to the lord chancellor—the particular constitution of his mind, and his extreme anxiety to decide justly. Now, if the delay imputed to his lordship arose from his indulgence in pleasure or in frivolous amusements, he should be one of the first to condemn it; but, if he saw a man devoting twelve out of the twenty-four hours, without remission, to the public business, and allowing himself no longer a vacation than three weeks out of fifty two, he would pass over with a light hand the venial fault of him who decided slowly, from the peculiar constitution of his mind, and his ultra anxiety to decide justly. Mr. Basil Montagu, who was the antipodes to the lord chancellor in politics, further went on to say—"These two circumstances have occurred within my knowledge. In the case of Blackburne, which I argued two or three times, I certainly never was more satisfied in my life with my own argument than I was then. I mentioned it again and again to the court, but I could not obtain judgment. At last the lord chancellor stated, that he had been deliberating upon the case for many hours during the night, and that there was one point which had escaped me in my argument to which he wished to direct my attention, and he was pleased to direct my attention to it, and to desire it to be re-argued; and upon re-arguing it, I was satisfied that he was right, and I was wrong; and whatever may have been the cause of the delay, the consequence has been, that he has prevented the injustice which I should have persuaded him to have committed. Not only in that case was there an advantage to public justice from the delay which took place, but there would have been, had the lord chancellor come to a hasty decision on the case, a false light set up aloft to allure other judges to erroneous decisions in future." Mr. Basil Montagu then proceeds—"I beg also to mention another case (ex-parte Leigh), which will be found in 'Glyn and Jameson,' 264,—the case of a habeas corpus; where, to my knowledge, the prisoner was detained illegally, upon an affidavit upon detainers for debt by a Mr. Claughton (I think for 10,000*l.*). The court of King's-bench refused to discharge him. I presented a petition to the chancellor on behalf of the bankrupt, being convinced that the decision of the court of King's-bench was erroneous; and, it being in the case of the liberty of a prisoner, the chancellor heard it immediately, and took the trouble of applying to the chief-justice of the court of King's-bench; and after deliberation, thought it his duty to reverse the judgment, and to order him to be discharged; and, but for this care and deliberation, I am satisfied he would have been in prison at this moment, as I know the hostility between these parties is continuing to this very day." Now, if one counsel could state such facts as these as occurring within his own knowledge, he thought that if other counsel would be equally explicit, it would be proved, beyond all dispute, that the delay of which the lord chancellor was accused could not produce much danger to the interests of public justice. He contended that the conduct of the lord chancellor in the administration of his court was such as to entitle him to lasting honour. When he heard the learned lord blamed for not having made the reforms in his court which were now recommended, he would say, that nobody would have given his time to such a pursuit more readily than his lordship, had he had any time to bestow upon it; but, absorbed as he was in the various duties of his office, he had not the leisure to consider such reforms with the necessary deliberation. He conceived that the presence of the lord chancellor before the commission, on all occasions where his presence was necessary, and his absence on all occasions where his presence was likely to exercise any control over the witnesses, were facts which must tell to his immortal honour. In conclusion, he said that though he might have spoken warmly in defence of an individual whom he was proud to call his friend, he had done nothing more than an act of justice in vindicating the ability and industry with which the lord chancellor, now an old man of seventy-six, performed the duties of his office; who, though he might be accused of delay, had not had his motives impeached by a single voice in that House, or been blamed by any one for having devoted his time to frivolous or even pleasurable amusements.

Dr. *Lushington* said, that any gentleman who considered the complexity of the subject which had been referred to the commissioners, could never have expected that they would give their unanimous support to 187 propositions, promoting great and important changes in a system which had now been pursued for more than a hundred and fifty years. It was more extraordinary that so many of them could conscientiously put their seal to such a report as they had presented, than that some of them should have differed from their colleagues on its details. Against this report it had been urged, that though the reforms which it recommended were beneficial, still they were ineffectual in destroying the delay so much complained of in the court of Chancery. It was likewise objected to the commissioners, that they had omitted to consider many important subjects, and particularly two, which, if they really had omitted to consider, they would have been guilty of a most pusillanimous dereliction of their duty. It had been said, that they had not dared to inquire whether any and what delay took place between the setting down of the cause and the hearing, and then between the final hearing and the judgment of the chancellor. Those points came within the direct terms of the commission; and, if the commissioners had shrunk from their investigation, they would have left unexamined the most important points on which they were directed to inquire. Now, he had to inform the House, that of the mass of evidence taken by the commissioners, part was still unprinted, and that part which would have proved beyond all dispute that they had attempted to elucidate these two points. The reason why it was not printed was, that it was given at the latter part of the inquiry—that it consisted principally of documents,—that those documents were only produced at the conclusion of the sittings, and that it had been found impossible as yet to get them into type. He would state the heads of those documents, and would then leave the House to judge—first, whether the commissioners had done their duty in inquiring; and secondly, whether the lord chancellor had done his duty with regard to the judgments he had given within the last three years. There was the cause-paper of the lord chancellor and the vice chancellor—the motions set down for hearing, the account of business in bankrupcy and lunacy cases, and also the manner in which his lordship had expended every one day in court during the last three years, together with a special account of the business set down and left undone each day, and the reasons of its postponement. Besides these documents, any person who read the evidence would see that every witness was asked what was the cause of the delay, and also what were the best remedies for it? He was aware that some of them had felt great reluctance to answer that question; but he contended, that the commissioners could not have gone further, unless they had purposely sought for matter to criminate the lord chancellor. Having said thus much, he would proceed to inform the House, that it was his wish and object in rising at present to state candidly his opinion of what had been done by the commission, and of what was likely to be the result of its recommendation. And first, with regard to the conduct of the lord chancellor. He did but discharge a debt of justice to that individual, when he said, that from the beginning to the end of the investigation, he had given the most material assistance to the commissioners. He did not deliver his opinions to them as to dogmas, but allowed those who doubted of their correctness to investigate them thoroughly, affording them every explanation which they required, and that, too, in a manner which left on his mind a most favourable impression with regard to the learning, intelligence, and integrity, of that learned lord. So far from ever seeking to check inquiry, he had done every thing to promote and forward it. With respect to the number of appeals, he admitted that there were at present one hundred and nine in arrears, that forty-five was the average number which the lord chancellor got through in a year, and that it would thus take about two years to clear the paper. Whatever opinion might be entertained as to the delay regarding appeals, he was bound to say, that there were other cases in which it was impossible to deny that great delay existed. Some cases which appeared to be almost entirely laid by, had been productive of injury to the suitors, which every feeling mind must deplore. Whether that delay had arisen from the lord chancellor finding difficulties in the cases, which rendered him averse to consider them, or whether it had arisen from the too great pressure of his other avocations, or from any other cause, it was to be lamented and ought to be remedied; otherwise individuals would be ruined in their attempts to obtain redress. He confessed that he was not one of those who entertained sanguine hopes that the business of the court of Chancery would be much facilitated by the alterations now proposed; but he was satisfied that, in recommending their adoption, the commissioners had done all that was consistent with prudence, in the first instance. It would be wiser to try the effect of these proceedings, and if they were not effectual, then to adopt bolder remedies, than to sweep down at once a system which had lasted for ages, and of the annihilation of which no man could calculate the consequences. As to the dividing the business of bankruptcies, from that of Chancery, there was not a witness whom they had examined, that did not consider such a proceeding as extremely detrimental. The commissioners would, therefore, have been very bold if they had ventured to recommend such a proceeding against the experience of all their witnesses, and even against the opinion of many of their own body. He would, however, state his own opinion on the subject with the same frankness as he had used on all the subjects to which he had alluded. It appeared to him, that of all the systems connected with the court of Chancery, that of bankruptcy was the very worst, from the infinite delay in justice, and the ruin which it occasioned to the suitors. When he saw that there were no less than seventy commissioners of bankrupts, costing the country at least 20,000*l.* annually, many of them notoriously incompetent for the duties of their office—when he recollected, that they met only for one, two, or at the outside three hours at a time, for the despatch of several commissions—when he saw their opinions and their actions conflicting daily, he had almost said hourly, with each other—when he saw that one list had committed ten times as many individuals as all the others put together—when he saw the whole business of bankruptcy conducted with any thing but a view to economy and despatch—when he saw the various difficulties which arose in it, from the collision of opinions amongst the commissioners themselves—when he considered all these facts, and reflected, that bankruptcy formed the great source of the lord chancellor's patronage, he thought that it would have been the pride of the report if it had recommended the destruction of such a system. But when he saw that the lord chancellor was to select ten out of those seventy commissioners as a court to decide on bankruptcy, and that from them there was to be an appeal to the vice-chancellor, and from him again to the lord chancellor, he saw nothing but increased delay, expense, and confusion, and he was doing only his duty in stating his opinion as to the fact. There were other points connected with the subject, on which he would not speak at present, though he must hereafter claim the privilege of entering into them at large. He could not, however, refrain from saying one word upon the subject of conveyancing. It was to be lamented that subjects connected with the jurisprudence of the country were not sufficiently attended to by the House. Instead of remedying the defects which had been occasioned by time, hon. gentlemen had covered the table of the House with statutes, till they had made the law respecting real property, such a mass that it was impossible to find any individual who, on any important point, could say what was or what was not the law. As to conveyancing, no country gentleman could guess the tax (until his solicitor's bill was brought in) which the present system imposed upon him. It never could be right, that the abstract of a man's title should take up eight hundred brief sheets, as appeared from the report to have been the case in one instance. Indeed, of a large estate which he held as a trustee, and which was valued at 800,000*l.*, many small plots were to be sold; and would the House believe it when he told them, that the abstract to the title of those small plots filled four hundred large brief sheets? Such a system inevitably led to injury and confusion. If any body neglected the precaution of examining such abstracts, their heirs and assigns might years after have occasion to repent the negligence. He therefore called upon the House to devise a remedy for an evil which had increased, was increasing, and which he believed every body would admit ought to be diminished. The learned gentleman concluded with a declaration, that he reserved his opinion on many points connected with this report to some future occasion.

Mr. *Brougham* said, that as he was quite ready to agree, that it would be better to allow the bills proposed by his learned friend to be printed and considered before they pronounced an opinion upon this subject, and as he was aware that they would have many other and better opportunities of investigating every thing connected with the question in detail, he would not have trespassed on the time of the House, by any observations, had it not been that he could not allow the impression respecting the report of the commissioners, contained in the two last speeches addressed to them, to go forth to the world without some kind of contradiction or explanation. The effect of those speeches would be indeed to propagate a delusion which he was most anxious to avoid. He wished to avoid any thing like personal reflection in speaking upon the court of Chancery, and he agreed in so far most readily with his hon. and learned friend, the member for Lincoln, that in such matters they should look upon every thing rather as a subject of general discussion than individual reflection. With such a feeling he would argue the case; and he thought he could not commence better, or lead to a better understanding of the course he meant to pursue, than to quote an extract from a work, which he understood to be the production of a noble and learned lord, of high reputation. In it he says, that it was advisable to work as much as possible prospectively, because the remedies which were to be provided, were to benefit hereafter; and it was their duty to look rather to what could be done for the future, than to complain of the past, yet it was necessary still to examine affairs a little retrospectively, that they might not, in their proceedings, impute blame to individuals, for committing evils which were inherent in the system, and which individual exertions could not remedy or avoid. In attending to the course here laid down, he did not apprehend that he could be supposed to touch upon any thing personally offensive or contrary to his disposition to avoid allusion to the conduct of the noble person who presided over the court. He would not, therefore, say, that the commissioners slumbered over certain matters subjected to their consideration any more than he would say that the lord chancellor had slumbered in abstaining for the five and twenty years he had presided over the court to adopt some remedy for the evils which he must have known, which he acknowledged to have existed, and in which he could have effected some kind of beneficial alteration. He would only say, that there had been an omission on behalf of the commissioners—an omission which his hon. friend, the member for Lincoln, had well described to consist in an aversion to any acts which could lead them into an inquiry or examination, as to the cause of that delay which took place between the final hearing, when the case became ripe for judgment, and the pronouncing of the judgment itself. Having found no allusion to this delay in the report, and having found that some questions put to a witness upon another subject were answered voluntarily by that witness, with reference to this subject; and yet, that the commissioners took no steps to follow the clue, or ask any other questions which might throw light on those delays, he could not avoid supposing that the subject had been left out of the report on purpose. It was true, that some evidence had been given on the subject, but it was not to be found in the report, although they had given an opinion upon matters connected with it. In no part, however, of the report itself—neither in the preliminary matter, which might be called the labours of the commission, nor in the one hundred and eighty-seven propositions, nor in the researches of Mr. Beames, was there to be found the slightest allusion to that great integral portion of the abuses in Chancery—the delays in giving judgment. Some explanation could, doubtless, be given of this most extraordinary omission. Surely it could be said whether it had been postponed for future consideration. If they wished to ascertain what course was to be adopted prospectively, why had they not looked retrospectively to ascertain the origin of the evils which were admitted? There was the expense, and all the other evils of a Chancery suit, admitted to be produced solely by delay; and on what ground had they omitted to inquire into the cause? It was allowed on all hands, that the greater portion of the evils of Chancery proceeded from delay; and were they to begin with the branches, and not inquire into the state of the root? Could they inquire into collateral points, without looking to the system of which these points formed only a small and unimportant division? Could they proceed without examining whether the delay was owing to the system of the court of Chancery, or to any manner in which that system was supported? Could they, in short, in plain, honest, downright language, and without sacrificing any thing to unnecessary delicacy, determine upon the course they ought to pursue, without knowing whether there were mischiefs in the system of Chancery, which were incurable? or whether they were not mainly owing to, or at least greatly aggravated by, the incapability of the noble person who held the power of dispensing its equitable provisions? He understood his learned friend who spoke last to say, that the commission felt all this, but could not help it. This was one of the results of the lord chancellor's being appointed a member of that commission. His learned friend said, they had been greatly assisted by the noble lord's knowledge of facts, by his learning and experience, and that he had facilitated the objects of the commission. It had been, however, more than hinted, that there were reasons why the inquiry he alluded to had not been made. He, for his part, knew right well, that the chancellor could not be guilty of an action so impolitic, or a course of management so clumsy, as to interpose any open obstacles to the inquiry which had been recommended by the House; but what he said was this, that the chancellor all the while was present with the commission—that if they were there, he was sure to be there; and he could conceive the effect likely to be produced by the presence of a man, whose conduct was much less repulsive than lord Eldon—of a man of much less fascinating manners than that learned person, upon the inquiries of those who sat to investigate the cause of the evils of Chancery, and whether those evils resulted from his own personal incapacity. He could well conceive how such a person might silently impede, or altogether quench, any disagreeable inquiries, without the slightest appearance of a disposition to oppose a strict examination. He foresaw all this. When the commission was appointed, he knew it would happen so; and he now looked in vain in the report, a report which should have had works rather than professions, for any explanation of those delays which should have been the principal object of their investigation. He knew much good might be done by the commission; that they might make fine researches into the history of the court of Chancery; and that they might suggest many improvements with regard to minor and inferior points of complaint; but that with respect to the great question—the delay of the court, and whether that delay proceeded from the nature of the system, or from the conduct of the noble person who acted under it—they never could either obtain any satisfactory information from a commission so constituted, or expect any satisfactory security for its being remedied if it was suspected to exist.—The hon. and learned gentleman then alluded to the observations of the right hon. secretary for the Home Department upon the opinions of Mr. Basil Montagu, and observed, that it was quite new to him to learn, that there had been any thing in the political life of Mr. Montagu which rendered it at all important that his opinions of public men should be taken as any thing either for or against the declaration of his feelings upon the conduct of the lord chancellor. The principle itself, even admitting it with respect to Mr. Montagu, might be carried to any conceivable extent. The assertion, that the opinions of sir Samuel Romilly upon the conduct of the chancellor were the same as Mr. Montagu's he now heard for the first time; but, as far as he recollected, and he had some opportunities of ascertaining sir S. Romilly's opinions, they were decidedly adverse to the present system of Chancery; but even without that coincidence of opinion, he considered it extremely unfair to bring in Mr. Montagu's commendations on the strength of a difference of political opinion, as a test of the propriety of the judicial or political conduct of the lord chancellor. He did not mean to deny that Mr. Montagu was a very respectable man, and a very able practitioner, in cases of bankruptcy; but he did not think his opinions could have an influence on the case, or that, if they had, it would be fair to use them. He could not help calling upon his learned friend who spoke last to look at a part of the evidence, which, if it did not shew a disposition to avoid the subject altogether, at least, marked a palpable omission of what could not but have been presented to the minds of all the commissioners. The passages were these:—

"Q. 106. After a Cause has been heard, is there, generally speaking, much delay in obtaining a decision?—That depends upon the different Judges before whom it is heard. Q. 107. Supposing the Cause to be heard before the lord Chancellor, is there much and what time elapses, before obtaining a decision?—Certainly; frequently months; sometimes years; and I have heard of many cases in which the parties have not been able to obtain any decision at all."

How could the commissioners, after that, fail to have the main subject presented to their consideration? Or was it not pretty evident, that there must have been some reasons for the omission of so important a point of their inquiries? In another part of the evidence, they would find Mr. Shadwell asked, if he thought one man could do the present business of the court of Chancery in the manner in which it should be done to satisfy the suitors, and he answered, No, nor three angels. His learned friend, who was a very good classical scholar, as well as a good equity lawyer, would recollect, that it was a rule of dramatic critics, that a God should never be introduced, except the occasion required his presence, and he believed the same rule would hold good in a court of Equity, with respect to the introduction of angels. Another witness was asked if he thought it possible that any man devoting his whole time to the court of Chancery, could get through the business ordinarily before it, and he answered it was utterly impossible. If, then, a judge, sitting from ten o'clock to four, for nine or ten months in the year, and devoting the whole powers of his mind to his duties, could not get through the ordinary business of the court, what hope was there that lord Eldon could ever accomplish the task allotted him? But a question actually arose, did lord Eldon devote all his powers to these duties? Mr. Bickersteth, it was true, had on his evidence said, the lord chancellor sat six hours a day constantly. It might be, he was not well enough acquainted with his movements to deny it, and it might happen every day; but he should like to see some member of that House get up in his place and say, that the lord chancellor did sit constantly, applying the whole powers of his mind to the interests of the suitors of the court of Chancery. Now, beautiful as was the allusion of his learned friend, Mr. Shadwell, about the three angels, he would prefer some experiment being made—some practical suggestion proposed, which he did not find on the face of this report—to remedy the inability, the now admitted inability, of one judge to perform the functions, which, with a variety of other duties, were now thrown upon one person, and which one person, nor three persons, no not even if they were three angels (he did not like to lose sight of the allusion) could perform. There did not appear, notwithstanding all that had been said of the increased despatch, any great or material working down of arrears in the court of Chancery. From the evidence it seemed there was no less a number than one hundred and nine in arrear. Now this was no great evidence of despatch, considering that no original cause of motion had been entertained by the lord chancellor, and considering that these appeals were the arrears of only two years. Besides, it was to be taken less as satisfactory evidence of despatch, when it was remembered that there were only forty-five appeals heard and disposed of in a year by his lordship. In short, upon a review of the whole business done in the court, it was evident on the face of the report, that the delays prevailed to an extent grievous and ruinous to the suitors of the court. For these delays he saw one only effective and necessary measure —the separation of the political from the judicial character of the judge presiding in the high court of Chancery. It was in vain to deny that his political avocations must be a distraction to him, effectually preventing him from the due and efficient fulfilment of his judicial duties. Add to this—what there was the less need of concealing, as the noble and learned lord himself admitted it—that his doubting disposition amounted to a positive mental infirmity. He was addicted to over-much doubting—to too nice subtlety —which led him sometimes, from an over-anxious observance of close and intricate points, to lay a trap, as it were, for his sound and excellent judgment. And that he was gifted with an excellent judgment, and a most eminently endowed understanding, from his own observation of that noble lord, he did not hesitate to admit. With such high capabilities of forming his decision, it was impossible that he could be long in making up his mind —nor did he believe that he was long in doing so. He was only long, and slow, and hesitating in giving his opinion. For he had a mind large and capacious, filled with ample stores of learning, drawn from every source, but more especially with the learning of his profession, trained by a course of experience extending through a period of unusual length, and pregnant with almost all the vicissitudes of social life; he had an extraordinary subtle and nimble fancy, and could bring his faculties, which were great, at the smallest period of time, to bear on the largest and most difficult questions. He spoke thus of the lord chancellor, not out of any peculiar respect for him; but he delivered the sentiments he had formed through long and watchful observation. It would therefore be strange if that noble and learned person could not see through the greatest difficulties, as indeed it was well known he often did, at a glance. He must candidly confess that he was entirely of sir S. Romilly's opinion, that the lord chancellor made up his mind soon, but that the infirmity under which he laboured, led him into those subtle speculations which so long held back his opinions. But of what avail was it to the suitors of the court that he made up his mind quickly? It was no benefit to them; as he would not express it.—He had spoken thus freely what he thought of that noble lord; and he felt less the scruple or hesitation in saying it, as in doing so he had said little more than what he had heard the noble lord admit himself. It was not, perhaps, so much a matter of blame as it was of excuse to the noble lord, that he had too much to do; that he was obliged, by his political duty, to be in one place, when his judicial duty required of him to be in another—that he was now there when he ought to be here—that he was one day obliged to attend the presenting of the Recorder's report, and on another day to attend the cabinet council. Again, he was engaged in hearing appeals before the House of Lords; and these, with a variety of other occupations, allowed him little or no time to attend the efficient discharge of his judicial duties in the court over which he presided. Amongst other disadvantages of these various avocations, to which his lordship was subjected, the suitors had to experience this material and important one—that the lord chancellor could not attend continuously, at any one time, to hear the whole of a case, so as to be able to take a full view of it, and to decide at the moment that all the arguments on both sides were fresh upon his mind; but, by being now called off here and again called off there, he was only able to collect the case as it were by piecemeal, and to decide (when he did decide) upon it, after that disjointed and disconnected hearing of it. These various distractions realized the observation which was so familiar in the House about ten years ago in discussions on this question, that on account of the political and judicial functions of the lord chancellor interfering with each other, that thereby "the judicial year was diminished, not by minutes or hours only, but by days and weeks and months." So it was now, and would continue to be, until the judicial was separated from the political character of the lord chancellor.—It had been said, that the present chancellor was beset with charges and imputations which were never laid to the door of his predecessor. To be sure not, because the grievances of his court had not grown to so great a height, the arrears of his business had not become so enormous. There had been then no motions made in parliament; none made and rejected; none made, granted, and then their object defeated by artful management. There was not then, as in the present time, an inquiry granted; a smooth unruffled course pursued in that inquiry for some days, and then, when it began to reach some delicate points, some sore places, the whole completely extinguished by a cloud of masters of Chancery thrown into it. That man must be not only very candid and charitable, but also very foolish, who could have any doubts whatever that the lord chancellor was very extremely averse to such an inquiry. The abuses of the court of Chancery had been brought before the House in the years 1810, 1811, 1813, 1820, and 1823. For sixteen years the reform of this court had been the frequent subject of debate. The abuses were palpable, glaring as noon-day; no one doubted of their existence; half the property of the kingdom was crumbling away under their pressure: the suitors of this court were daily ruined by their operation; yet, during the whole of these sixteen years, the noble person at its head had not made a single reform; had not made one improvement; had not advanced a single step; had not put himself in motion, nor moved even the little finger of his left hand, to procure the remedy of one evil—the correction of any, even the smallest abuse, that under his own eye, and with his own knowledge, existed in his court. It had been said, that lord

Somers, and the great men who preceded lord Eldon, had not been required to make those alterations and corrections, which were now so loudly called for in the practice of his court. But, in the first place, neither lord Somers, nor any other lord chancellor, had, like lord Eldon, the experience of twenty-five years as judge of that court, and twenty-five years more as a practitioner in it: secondly, the grievance was never in former years represented to be so great as it was now and had been of late years: thirdly, such abuses had never been known to exist without any control whatsoever to check or restrain them: fourthly, with the admission of these abuses, there never had been displayed such an opposition to every motion, plan, and measure proposed to remedy them, as had been displayed during the last sixteen years in that House; and lastly, and most of all, there had been no former instance of such injury being entailed upon the suitors of the court of Chancery by the union of the judicial and political character of the lord chancellor, and without the separation of which, it was idle to expect any effectual reform in the abuses of the court of Chancery—abuses greater, and more flagrant and enormous, than those by which the people of any country had been aggrieved by a tribunal instituted for the purpose of administering equity and justice. The hon. and learned gentleman concluded by saying, that with whatever reluctance, he was induced to address the House, he could not allow this, the only opportunity that would be afforded him during the session, of reminding parliament of the necessity of applying some effectual and early remedy for the many and crying abuses that at present prevailed in the practice of the court of Chancery.

Mr. *R. Smith* said, that as a member of the commission, he begged to disclaim any intention of inquiring into or scrutinizing the conduct of the lord chancellor. If such a power had been imposed upon the commission, he would have objected to it as unconstitutional; for it would have subjected him and the commission to the necessity of deciding upon ex parte evidence against the lord chancellor; or to the alternative, equally objectionable, of deciding upon the testimony of the lord chancellor, in reply to the criminatory evidence adduced against him. However, it was no part of the duty of the commission, and no inquiry into his conduct was instituted. He would not say that the commission had prosecuted its inquiries as far as the powers granted to it permitted. They had, however, suggested something in the way of improvement, which might be brought to the test of experiment; and, if found to answer, it remained for government to determine whether or not further improvement might be introduced. He was satisfied that the right hon. gentleman (Mr. Peel) who had already so distinguished himself by his improvements in various branches of our laws, would not leave this most important department unattended to; the more particularly, as it was the one in which improvement was the most required, and most loudly called for.

Mr. *Denman* could not concur with the hon. gentleman who spoke last, that there was any thing unconstitutional in scrutinizing and inquiring into the conduct of the lord chancellor. Nay, he even thought it the most important and necessary part of their duty; for they were appointed to inquire into the causes of the delay and expenses attending suits in the court of Chancery. If these suits were occasioned in any degree by the conduct of the judge presiding in that court, it was their duty to report it to the House. It was alleged, that those delays materially and principally occurred in consequence of delays which, by the efficient discharge of his duty, the lord chancellor might have prevented. If such were the fact, it ought to have been stated in the report. That there was sufficient ground for entertaining this opinion, would be found by the evidence of Mr. Hamilton, an extract from which he would read, shewing a comparison of the delays which cases met with in the respective courts of the lord chancellor, the vice-chancellor, and the master of the Rolls. The evidence met with some interruption, he believed, by some master in Chancery. The extract was to the following effect:—

"Can you at all state what is the lapse of time which usually takes place between a cause being set down for hearing and its being heard?—It has varied so much, that it is impossible to give an answer to that.

"If you set down a cause before the vice-chancellor in Trinity Term, when is there a probability of its being heard?—I think it could not come on in less than eighteen months, if all the causes which are now set down are fully heard.

"Supposing a cause to be set down for hearing before the master of the Rolls, what lapse of time would take place before it could he heard?—If it were set down now, I think it would be heard before Christmas; there are very few causes at present before the master of the Rolls.

"After a cause has been heard, is there, generally speaking, much delay in obtaining a decision?—That depends upon the different judges before whom it is heard.

"Supposing the cause to be heard before the lord chancellor, is there much and what time elapses, before obtaining a decision? — Certainly; frequently months; sometimes years; and I have heard of many cases in which the parties have not been able to obtain any decision at all."

It would thus be seen, that the lord chancellor was not of that description precisely which entitled him to the eulogy which had been pronounced upon him. Here was evidence to show that cases were postponed far beyond the time they required to be disposed of in the other courts of Equity; and, if further evidence upon his conduct was permitted, perhaps it would appear that the delays of the court were, in a great degree, attributable to it. But it seemed that, although no testimony unfavourable to the character and conduct of the lord chancellor was admitted, yet that there was a great disposition manifested to hear every thing favourable to him. Accordingly, a series of questions were proposed by his learned friend, the solicitor-general, which conveyed the perfect portraiture of a most accomplished judge, and which were put in such a manner as only to require the answer "yes," to paint lord Eldon as the very paragon of virtue.

The *Solicitor-General* intimated, across the table, that he had not been present at any part of the examination of Mr. Hamilton. Had he been present, he should not have been disposed to permit some things which that witness volunteered in evidence.

Mr. *Denman* said, he was sure Mr. Hamilton was incapable of saying any thing untrue, or of resorting to any discreditable trick. The passage which he had read from his evidence was one, in his opinion, which satisfactorily shewed, that the character of the lord chancellor, for despatch, was not so clearly established as his right hon. friend would induce the House to believe. The members of the commission had disclaimed all inquiry into the conduct of the lord chancellor, and in doing so, one of the most important objects of the commission had been defeated; for, after all, it would be found that the subject to which they ought to have most sedulously directed their attention was left most unnoticed. This was the consequence of making the lord chancellor a member of the commission; against which he and his learned friends had ineffectually remonstrated. As to the measure proposed by his learned friend, he was disposed to hope the best from it, although he knew not the precise nature of it. His learned friend had told them of a great many propositions which were to be found in the report; but he did not say which of them he intended to embody into the bill he proposed to introduce, and which he intended to reject. He hoped, however, that members would be put in possession of a printed copy of the bill, so as to come prepared, to examine and decide upon its usefulness. As to the character of the lord chancellor, as the commission cautiously abstained from offering any observation, he would imitate their example. If called upon, on any future occasion, he would not hesitate to express his individual opinion of that noble lord. Posterity would, however, pronounce the true and impartial decision upon his conduct. For the present, he would only express his concurrence in the sentiments of his hon. and learned friend (Mr. Brougham), that there were more flagrant and enormous abuses in the court over which the noble lord presided, than were to be found in any tribunal of justice in any other country.

Mr. *Tyndal* defended the conduct of the commissioners; nine hundred and ten pages of whose report had already appeared, and nine hundred and ten more were on their way—a pretty considerable report, he thought. The question for consideration was, whether what the commissioners had done was not sufficient to remove the existing arrear of causes, and to prevent the accumulation of causes in future. In looking to this part of the case, they must observe that, in 1822, the arrear of causes was one hundred and five, and that in 1826, the arrear amounted to one hundred and nine, making an increase of no more than four causes in four years. There was reasonable ground to believe, therefore, that the measures proposed by the commissioners would produce the most beneficial effects.

Mr. *Abercromby* thought, that the report of the commissioners would, if acted upon, have the effect of giving more business to the minor courts, and, of course, of increasing the number of appeals to the lord chancellor. With respect to that noble lord, he thought, and he assured the House that he spoke sincerely, that his lordship was placed in a most awkward and difficult situation. Insinuations had been thrown out that the causes of delay between final hearing and decision had been touched upon by the commissioners, and that the inquiry was found to be by no means satisfactory. He meant to give no opinion as to whether this inquiry ought, or ought not, to be gone into; but he was sure that every friend of the noble lord had to regret that the matter was left in this undecided and unsatisfactory state.

Leave was given to bring in the bill.

HOUSE OF COMMONS.

Friday, May 19.

High Constable of Westminster.] The resolutions upon the Sessional Addresses being reported,

Mr. *Hudson Gurney* said, he could not permit them to be disposed of without making an observation upon a paper which had been pretty generally circulated amongst the members. He meant a representation of the circumstances in which Mr. Lee, the high constable of Westminster, was placed, from his being constantly in attendance upon the House, during the whole time of their sitting, without receiving any salary or remuneration whatever. The case of this individual had been brought before them some years ago; and opposed by the hon. member for Corfe Castle, upon the ground that the office had been purchased from the dean and chapter, and possessed many advantages. It was not, however, consistent with the dignity of that House, or accordant with the principles of right and justice, that they should continue to receive the services of Mr. Lee without any compensation for the loss of his time and the neglect of his business.

Mr. *M. A. Taylor* recommended the claim of Mr. Lee to the consideration of the House.

Greek Cause.] Sir *R. H. Inglis* rose to present a petition from White Roothing, in Essex, on behalf of the Greeks. It was numerously, and, as he understood, respectably signed. It was not, however, on account of the numbers, or of the respectability of those who signed this petition, that he called the attention of the House to it, but chiefly from the fact, that, with one solitary exception, and that four years ago, the present was the only expression of public feeling in this cause which the House had heard, since the commencement of the great struggle in which the Greeks are engaged. He therefore felt that he should hardly do his duty to the petitioners and to the cause, if he did not ask the indulgence of the House for a few moments, while he stated the case which had been intrusted to him. The petitioners, feeling as men and as Christians, for the calamities of the Greeks, still did not ask the House to interfere in their behalf by war, or by the threat of war. They asked only, and he asked only, for firm expostulation and remonstrance. As to threats of war, he would only say that, in the case of nations as of individuals, it was unworthy to use a threat which was not ready to be executed. As to negotiations, he felt the delicacy and difficulty of the duty which the circumstances of the Greek revolution had imposed upon government. Bound we were by treaties to respect the independence of Turkey. He felt that, if there be any difference in the degree in which obligations voluntarily contracted between nations or between individuals, can be binding upon the parties, it is when one is strong, and the other is weak; when one is Christian, and the other is infidel. It is in these cases, that we are more especially bound to show the superiority of our principles, and the generosity of our strength. He trusted, however, that in perfect consistency with this rule of conduct, government had used, and would continue to use, not only with Turkey, but with Austria, and every other state, every legitimate means in their power to obtain for the Greeks, not merely protection and security, but, he trusted he might still add, the revival and independence of their nation.

Mr. *W. Smith* envied the feelings of his hon. friend in presenting such a petition. He heartily wished that there could be an expression of public sentiment throughout the country upon this subject, which might convince the world that we were not indifferent to the great and holy war which the Greeks were now waging for the recovery of their liberty and independence.

Sir *R. Wilson* said, that the time was now come when some step ought to be taken by England, in order to save a Christian people from extermination. The cruel and inhuman manner in which the Turks carried on the war against the Greeks was evident from this circumstance—that the Greeks preferred sacrificing themselves along with their wives and children to submitting to the degrading captivity which they must suffer if they fell into the hands of the Turks. He was sorry to say, that notwithstanding the heroic resolution with which many Greeks had freed themselves by death from the degrading brutalities of their captors, some of them had been exposed for sale at the price of 50 and 100 dollars a head in the market at Alexandria. He lamented that French officers should have degraded themselves and their country by entering into the service of the Pacha of Egypt, and by fighting against the Greeks; but he lamented still more the impolitic law which prevented British subjects from embarking in the cause of Greece, and from showing their attachment to the sacred cause of freedom. He condemned the policy of the foreign enlistment bill, but praised the liberality with which ministers had exercised the powers it gave them.

Mr. *Hobhouse* said, that the same delicacy which had hitherto closed the mouths of his hon. friends upon the subject of Greece, had also influenced him not to make any public appeal to ministers, the reply to which might embarrass the march of their policy towards that country. Judging from some words which had dropped from a noble lord, in another place, as well as from other circumstances, he had reason to believe that some measures on behalf of the Greeks were in the contemplation of government, and he was aware that any public declaration of their policy might be prejudicial to that sacred cause. With respect to the great blow which had been lately struck against the Greeks, it was to him, as it must be to every Englishman, a subject of the deepest regret; but he could not say that he despaired from that circumstance, of the fortunes of that heroic people. Missolonghi had certainly fallen; but it was not the last hold of the Greeks, for he was informed, by good judges, that if they defended Napoli di Romania, the present seat of their government, with only half the heroic perseverance which they displayed in defence of Missolonghi, they need not despair of holding the place out long enough to baffle the efforts of Ibrahim, or any other force which might be brought against it. Had he been disposed to bring this matter formally before the House, he could have proved incontestably that the French government had not acted with fair play, either towards the Greeks, or towards this country. This country, on the contrary, had, so far as its declarations to France were concerned, acted a loyal, just, and fair part, and had adhered to the letter of its proclamation of impartiality. He was not aware of the private understanding which existed between our government and that of France; but it was certain that, whilst the latter publicly professed a determination not to assist the Greeks, they were openly aiding the Turks in the unnatural contest. He could produce a list of officers receiving pay of the Pacha of Egypt, who were still upon the half-pay list of the French army, and also, that Austrian ships were regularly in the pay of the Pacha. He could prove that a French ship of war had been known to convey treasure from Alexandria to the ports of the Morea, and several other facts, which would clearly demonstrate an intention, in one part of the French government, openly to give assistance to the Turks against the Greeks. He could not, of course, undertake to say what course our government would pursue under these circumstances, nor was he anxious, for the reasons stated, that any official statement should be made on the subject. On the contrary he deprecated further discussion upon it; but he was anxious to repeat his conviction, that the downfall of the Greek cause was not to be necessarily inferred from the fall of Missolonghi. On the contrary, the best results ought to be anticipated from the courage and desperate valour with which the Greeks defended that fortress.

The Petition was then read; setting forth; "That the petitioners beg to recommend to the compassionate regard of the House the deplorable condition of our fellow christians, the Greeks, now suffering under the merciless rage of Mahomedan tyranny; it is with lively sorrow that the petitioners have heard of the unsparing cruelty which characterizes the protracted struggle in the east of Europe; and when the petitioners couple with the fearful devastation of the Greeks, now daily threatened, the almost complete depopulation of unhappy Scio, the fears of the petitioners seem to be justified in anticipating the most afflictive results, even the entire extermination of the Greeks as a people, both soldier and citizen, infant and aged, male and female, in one indiscriminate slaughter; while the petitioners deeply lament our supineness hitherto, which has permitted the distresses of our Greek fellow christians to arrive at this extremity, without resorting to the invaluable privilege which they enjoy as British subjects, of petitioning the House in their favour, both regret for the past and hope of the future stimulate the petitioners thus to interest the House in their behalf, and to entreat the House to adopt such means as their wisdom shall seem fit, to avert a mischief at once so overwhelming for the Greeks to suffer, and so disgraceful to christendom to permit; the petitioners deprecate all thoughts of resorting to the ultimate appeal of nations, but they earnestly solicit the House to advise the use of those means of protecting the oppressed with which a gracious Providence has at this moment favoured this happy land, even those of firm expostulation, and prudent negotiation, which, under God, may derive effect from the influence of our extended empire, our acknowledged eminence among christian kingdoms, the known liberality of our inter-national policy, and, above all, the just expectations of the civilized world, that this land will be the first to interfere in the protection of suffering christians, which is the most signally blessed with Christian privileges itself, and the most actively engaged in imparting them to others."

Ordered to lie on the table.

PROTESTANT WORSHIP IN ROMAN CATHOLIC STATES.] Sir *R. H. Inglis* rose to move for information, to the production of which he understood the right hon. gentleman the Secretary of State for Foreign Affairs had no objection, and to which, he trusted the House would have as little objection. He would not, therefore, detain the House further than by stating the object of it, namely, to obtain through his majesty's ministers and consuls in those countries in which the Roman Catholic religion is dominant, information relative to the exercise of Protestant Worship, and to the burial of Protestants, by law or in practice, in those countries.

Mr. *Canning* thought that the hon. baronet should have given notice of his intention to make such a motion. If such a return should be ordered, he should feel it necessary to move for a similar return of the rights enjoyed by Catholics in Protestant countries under similar circumstances.

Sir *R. Inglis* observed, that he did not conceive that any objection could have been made to this proposition, as it was only a sequel to several motions made ten or twelve years ago for the purpose of obtaining information relative to the Catholic religion.

Mr. *Denman* said, that the motion which the hon. baronet had so unexpectedly brought forward, was one of a novel, and unprecedented description. It was a motion which called upon our different consuls to exercise duties which had never been supposed to belong to their office, and which, if they did exercise, would give them a claim to additional emoluments from the country. From the extensive nature of the inquiry which the hon. baronet proposed to institute it was evident that they must peruse an enormous mass of legal documents, and wade through a great quantity of historical evidence, for which their previous habits might not have qualified them. Besides, the information which the hon. baronet wanted would, if obtained, only tend to raise a clamour in the country upon an argument that was totally false in itself, and which had never yet been incorporated with the discussion of the Catholic question. If the motion were good for any thing, it could only be for advocating some reciprocity of measures from the English government to its Catholic subjects, founded on the measures adopted by foreign Catholic governments to their Protestant subjects. Now, if the conduct of Roman Catholic governments had been most execrable in this respect, it was only a stronger argument for an enlightened government like that of England to give to its Catholic subjects those privileges which had been withheld by the bigotry of less intelligent governments. He hoped the right hon. gentleman would pause before he gave his sanction to this motion; at any rate, he hoped the House would pause before it allowed the policy of England to take its colour from that of bigotted, intolerant, and unenlightened Catholic countries—countries which we had hitherto outstripped in the race of intellectual glory and happiness, and which we ought never to follow in that career of intolerance which had been the curse of the world in all ages.

The motion was then withdrawn.

CURRENCY AT THE CAPE OF GOOD HOPE—PETITION OF LIEUT. COL. BIRD.] Mr. *Baring* rose to present a petition from lieut. col. Bird complaining of the changes occasioned in the currency of the Cape of Good Hope by large issues of paper-money by the colonial government. The hon. member entered into a description of the various changes which had been effected in the currency of that colony by the Dutch governors, whilst it was in the possession of the United Provinces. By the proclamation of sir David Baird the value of the rix-dollar, which formed the currency of the Cape, had been fixed at 4*s.*, and from that period to the present it had been successively reduced to 3*s.*, 2*s.* 6*d.*, and finally to 1*s.* 6*d.* Nothing could be more arbitrary, unprincipled, nor more injurious in its effect, than this unjust alteration in the currency of any country. He begged it to be understood that the petitioner made no complaint whatever of the government of the Cape, and particularly that the present application had no reference whatever to the noble person who now held the chief office there. He only wished that the House should be made acquainted with the actual effect which had been produced by the changes of which he complained, and this would be best understood by means of a statement of the times and manner in which the various alterations had been made. In 1806, the rix-dollar was current at the value of 4*s.* From that year, to 1810, its average value was 3*s.*; from 1811 to 1816, it was 2*s.* 6*d.*; from 1816 to 1820, it was 1*s.* 10*d.*; and from 1821 to 1825, it was 1*s.* 6*d.* at which rate it now continued. All of those depreciations had been occasioned by the extensive issues of paper money, and exemplified a curious fact, into which he would not now enter, respecting the influence which paper money had upon the value of a metallic currency. He knew it would not be easy to return at once to the state of the currency before these changes, nor would it be consistent with justice to do so indiscriminately, even if it were practicable. This, however, might be done, and was quite fair—a graduated scale might be made of the various engagements which had been entered into, and of the value of the currency at different times. It was obviously necessary that some such measure should be adopted; because, as he had been informed from unquestionable authority, many individuals had been ruined by the effect of these changes. He was sure he had underrated the amount of the disadvantages to which the inhabitants of the Cape were exposed, and in one instance particularly, as to the coin which was sent thither from this country by the government. That coin was produced at a gain of twelve per cent beyond its real value, and thus the currency of the Cape suffered this loss in addition to the others. If he had heard that these things had been practised in a barbarous country, he should perhaps have felt no great wonder at it; but when he knew that the subjects of the British empire were exposed to their effects, he could not hesitate to express his decided censure of them. He begged to inform the House, that the petitioner had applied to some of his learned friends for their opinion as to the circumstances of his case; and they stated, that no redress could be had through the ordinary legal tribunals, and that it was by means of this House alone that he could have justice done him. He knew that the king might, by the advice of his council, and therefore under a certain responsibility, order the 20*s.* piece to pass current for any sum he should think fit. That power had, however, been exercised in this colony without any responsibility, and to such an extent, that if the House did not interfere, the property and even the people themselves must be sacrificed. He appealed to the knowledge which the secretary for the Colonial Department had of the petitioner for his perfect respectability, and trusted he should hear that it was intended to examine more carefully the case which he had presented to the notice of his majesty's ministers.

The *Chancellor of the Exchequer* agreed that the subject of the petition was an important one. The charge which the hon. gentleman had made against the government was so serious, that it required a full explanation of all the circumstances of the case, which could not be entered into at that moment. When the time should serve, he should be ready to justify the course which the government had felt it necessary to adopt. But, before he entered on that justification, he should be obliged to move for some returns, in order to put the House in possession of certain facts explanatory of the nature of the paper currency; and in the mean time he hoped that hon. members would not conclude with the hon. gentleman, that the conduct of ministers had been as unjust and iniquitous as it had been represented. When the hon. gentleman compared the paper money of the Cape with that of this country, he compared two things which had no resemblance whatever to each other; seeing that the former, whether issued by the Dutch or by the British government, was never convertible into specie, nor payable on demand at the will of the holder. Like all other paper-money, the amount of which was unlimited by the law of the country in which it was made, it contained the essential qualities of depreciation. It never included any obligation on the part of the government to pay it in specie. However this might surprise gentlemen, he could prove it by documents for which he should move. The measure which gave rise to this complaint was a part of a general design to give to the colonies which were overrun with paper-money, something like the benefit of a metallic currency. It became necessary, in putting this into practice, to consider at what rate they should receive the paper money already issued, in exchange for the silver they sent out. This showed also that the government did not feel themselves obliged to take the paper-money at par. The hon. gentleman was mistaken if he supposed that the various issues of paper-money which had taken place at the Cape grew out of the necessities of the British government, or that they had been used in payment of the British troops, or for the public services of this country, but for the local purposes of the colony. He would first put the House in possession of the materials necessary for forming an accurate judgment, and then he should be ready to enter into any further discussion of the matter.

Mr. *Hudson Gurney* said, he wished to call the attention of the House to what he could not but consider a very great injustice. He meant, the situation of those persons who were creditors of the Orphan Chamber, at the time of the capture of the Cape. The case of one family, partly resident in Holland and partly in this country, came within his own knowledge. It was that of a person dying, and his property, by the laws of the colony, being placed in the hands of the fiscal, and lodged in the Orphan-house for the children left minors and orphans; the rix-dollar being then at 4*s.* 6*d.* At the time of the ceding of the colony to this country, the security of these investments was guaranteed by the English government, and government lands were understood to stand mortgaged as security for these funds. This guarantee was recognized in many subsequent proclamations; but the government issuing more paper for the occasions of the colony, the exchange with England rose from 15 per cent in 1803, to 200 at one time, and 180 since, against the Cape. That family had received scarcely any interest for eleven years, a small part having only been remitted, at that immense loss. The rix-dollar paid in at 4*s.* 6*d.* having been thus fixed by government at 1*s.* 6*d.*, persons in this position presented a case entirely different from that of the colonists, who had been paying and receiving, in Cape currency, during its fluctuations.

Dr. *Lushington* said, it was not his hon. friend's fault that this petition had not been presented before, for application had been previously made by the petitioner, both to the under Secretary of State for the colonies, and to the Secretary of the Treasury, for compensation. This was a question of very great importance to the Cape of Good Hope; and he did trust that it would be considered with as much favour by his majesty's government as a similar case from another colony had been, some time ago, when earl Bathurst, with great consideration and humanity, referred the petitioners to the Privy Council, who rescinded that part of their former order under which the parties had been aggrieved. As to what the chancellor of the Exchequer had said about its not being obligatory on the government to pay the paper-money in circulation at the Cape, that was a declaration which he had heard with the utmost astonishment. He could not conceive it possible that the government could have issued, and received money for these notes, without holding themselves bound in common honesty to pay them. That, however, the right hon. gentleman seemed to look upon as a matter, not of right, but of grace and favour.

Mr. *Ellice* denied the doctrine of the Treasury, with respect to the analogy between the Cape currency and that of this country. The issue was made by an English governor, and the government obtained for their notes at from 2*s*. 6*d*. to 3*s*. the rix-dollar. It was, therefore, most unjust for them to pay off those notes at half this value.

Mr. *Herries* said, that the learned civilian had clearly misunderstood his right hon. friend, who had merely, as he understood him, intended to say that the paper issued at the Cape did not purport to be convertible into money: and this, any hon. gentleman who happened to possess a bank-note of the kind in question, would discover to be the case. The fact was, that paper had never been at par, except upon two occasions, when large portions of it were called in and paid off by the Dutch government, who immediately afterwards issued a larger amount than that which they had cancelled. The object of the measures, the operation of which was complained of by the petitioner, was to introduce British coinage into all the colonies, in lieu of the various descriptions of paper which at present circulated therein. In some cases the paper was that of a former government, issued previously to our possession of the colony; in some it had been so issued under circumstances of great embarrassment, in others the absurdity had been resorted to of striking out a large hole in the centre of a Spanish dollar, and then it was declared by proclamation, that the piece so deteriorated in value should pass for one shilling more than it would have done if it had been entire. It must be evident from these facts, that the measure determined on by government was not only a proper but a necessary one. It was an act of justice to the colony to substitute a metallic currency in lieu of a paper one subject to such ruinous fluctuations. The Treasury had, previously to enforcing the introduction of the metallic currency, bestowed great pains in considering on the manner in which the clause should be brought about so as to produce the least possible inconvenience to the colonies. If government were called upon to pay 4*s*. for every rix-dollar which they took up, they might as well at once take upon themselves to pay the whole of the debts of the colony. When the order went from this country, fixing the par of the rix-dollar at 1*s*. 6*d*., an accompanying order was sent out, that every individual who chose to place 1*s*. 6*d*. in the public chest should receive a rix-dollar for it. That measure was thought necessary to operate as a check on any sudden injury that might arise to the people in the colony from the change.

Mr. *Baring* said, he did not think the hon. member had seen the essential points of the complaint. He agreed generally as to the policy of establishing a metallic currency in the colony; but such a step ought to have been preceded by a measure something similar to what might be termed an equitable adjustment; but though he thought the establishment of a metallic currency a correct proceeding, he considered government wrong in taking the extreme end of the line to fix the value of the rix-dollar. It fluctuated from 1*s*. 6*d*. to 4*s*. and it would have been better to have taken a medium rate. He hoped that a committee would be appointed to inquire into the best mode of regulating the currency, and of suggesting a method for the repairing the evils attendant on the change from a paper to a metallic one. The appointment of such a committee would, in his opinion, satisfy all parties.

Mr. *H. Gurney* asked, whether he was to understand, from the hon. gentleman, that the creditors, previous to the capitulation, were to be paid at the rate of 1*s*. 6*d*. instead of 4s. 6*d*. the rix-dollar, or whether their case would receive further consideration?—No answer was given.

Ordered to lie on the table.

GOVERNMENT RELIEF TO THE DISTRESSED MANUFACTURERS.] Lord *Milton* said, he would take that opportunity of requesting an answer to the question which he had, on a former night, put to the Secretary for Foreign Affairs, as to whether it was the intention of government to propose any grant for the Relief of the Distressed Manufacturers. He repeated his question then, as he feared he should not on that evening have the legitimate opportunity of ascertaining the intention of the government through the motion of the hon. member for Coventry, which he supposed would not come on. He considered that the calamities under which the manufacturing districts were labouring were of a nature to justify the interference of parliament.

Mr. Secretary *Canning* observed, that

he was perfectly ready to answer the question put to him by the noble lord, by stating that his majesty's ministers had no intention of proposing to parliament any proposition of the nature alluded to by the noble lord; and in making that statement he wished that he might not be understood as saying that no possible case could arise in which it would be politic in the government to step in with pecuniary aid, but that such an interference could only be justified by an inevitable and overwhelming necessity; and he felt assured that the House would agree with him, when he stated, that the circumstances of the present distresses in the manufacturing districts were not such as to warrant a departure from that legitimate principle, which prohibited the grant of public money towards the relief of partial distresses. Those distresses had been borne with exemplary patience and fortitude, and that consideration had raised a desire in the government to contribute to their mitigation, even at the expense of an acknowledged principle. But relief had come from another source: private charity had flowed in with so rapid a stream as greatly to remove the difficulty under which the government laboured. That stream was yet unexhausted. It continued to flow, and would increase when there ceased to be any uncertainty as to the part that the government would take, as he knew that private contribution had been restrained from an idea that there would be no necessity for it. He therefore felt it to be his duty to state that, after the fullest and most anxious consideration which the government had bestowed on the subject, it had come to the determination of not proposing any grant of public money, as such a grant would have the effect of checking the tide of private charity. The accounts from the distressed districts assumed now a more consolatory appearance, and there was every reason to hope that the worst had been experienced; but still they were not of such a nature as to supersede the effects of private bounty, but only to remove the overruling necessity for the interference of the state. If, therefore, in the present case, parliament should offer aid, they could not withhold it in future, whenever any particular distress existed. He felt persuaded that the resolution which the government had come to was founded in sound policy, and he trusted that the country and the House would do them the justice to admit that an insensibility to the distresses of the manufacturing classes formed no feature in the resolution which ministers had adopted on the present occasion.

STATE OF SLAVERY IN THE COLONIES.] Mr. *Brougham* rose to bring forward his motion. He first desired, that the following resolutions of the House, agreed to on May 15th, 1823, should be read:—

"That, it is expedient to adopt effectual and decisive measures for ameliorating the condition of the slave-population in his majesty's colonies.

"That, through a determined and persevering, but at the same time judicious and temperate, enforcement of such measures, this House looks forward to progressive improvements in the character of the slave-population, such as may prepare them for a participation in those rights and privileges which are enjoyed by other classes of his majesty's subjects.

"That this House is anxious for the accomplishment of this purpose at the earliest period that shall be compatible with the well-being of the slaves themselves, with the safety of the colonies, and with a fair and equitable consideration of the interests of private property."

Mr. *Brougham* then observed, that at the time the resolutions which had been just read were adopted by the House, the only doubt which existed was, whether they went far enough in propounding measures, or recognizing the necessity of measures for carrying into effect the scheme of policy which the almost unanimous opinion and sentiments of the country suggested, or offered to the House; but all men agreed, and declared by their votes upon that occasion, that this was the least measure of justice that ought to be meted out to the body of the people in the colonies. His majesty's government proceeded, after these resolutions were passed, to take steps for the purpose of recommending to the colonial legislatures in certain colonies, the adoption of measures calculated to effect the object in view, and other steps were taken, calculated to carry these principles into effect in the colonies not subject to the legislative power. It should be his object on the present occasion to call the attention of the House to the manner in which the suggestion of the king's government had been complied with on the part of those colonies which had legislatures of their own. With respect to those colonies which were under the immediate power of the Crown, the inquiry was, in all respects, much shorter, but it could hardly be said to belong to the present question. It would be necessary for him to enter with some minuteness into details, but he should endeavour to avoid every thing like declamatory statement—to avoid as much as possible general observations, however much they might be called for by the circumstances of the case. He trusted that the paramount importance of the subject, the deep and universal interest taken in it in all parts of the empire, and the great practical consequences to which the discussion, one way or other, was sure to lead, would prove his apology to the House for what might otherwise justly be deemed hardly bearable details. The matters in question consisted of fact, and fact only; and it was by a minute investigation of fact alone that we could arrive at the right conclusion. He had stated that the Crown, having the legislative power over the conquered colonies, proceeded to take measures for effecting the purpose of parliament and the country. This was done in the first instance in Trinidad, one of the most important of those colonies, by issuing an order in council for the better government of the slaves. This order having been made the subject of observation in this House, he did not mean to enter at length into the discussion of it; nevertheless, as it formed the basis of proceedings which had subsequently been adopted in such of these conquered colonies as had been called upon to do any thing at all, and the basis also of recommendations given, or about to be given, to the colonies which had legislatures of their own, it was obviously necessary that he should, if it were in no other way than by way of protest, state what he deemed to be objections to this order in council. Almost all the recommendations contained in the document alluded to, he admitted to be praiseworthy, and also the manner in which it was proposed to carry them into effect, as detailed by lord Bathurst, and the right hon. Secretary opposite. There were, however, some points in which they appeared to him to have fallen short of the object. One highly important consideration, in any attempt towards ameliorating the condition of the slaves, was the admissibility of slave evidence. Now, this privilege was confined, in the first place, to such as obtained a certificate from a clergyman of having made such a progress in moral improvement as enabled them to form an idea of the obligation of an oath. His objection to this was, that he saw no reason why a slave, whose evidence was required, should not be left in the same situation as a witness in this country, where the court was to judge of the admissibility of testimony. In our courts, a Pagan, Mahometan, or a person of no religion at all, might be tendered as a witness, and if no objection was taken, he was examined. It was not requisite that the person should believe in revealed religion; but if he was found, on preliminary examination, to be a person who admitted the existence of a God, and a future state, his evidence was straightway admitted. In this Trinidad order there was certainly a most laudable praiseworthy liberality, for the certificate of any minister of religion, of whatever sect, was considered as sufficient. He objected also to the manner in which the evidence was confined. For example: a slave was not allowed to give evidence in a civil cause, in which his master was a party. He could not see the propriety of this restriction. The next head to which he felt himself bound to refer, respected the office of protector of the slaves. It appeared to him, that the resolution which prohibited that very important officer, the protector of the slaves, from holding a plantation, or becoming a proprietor of slaves, was by no means sufficient for securing the object of government. The protector of the slaves was, by that article, only disqualified from holding property in plantations, or slaves, within the colony of Trinidad; but he might be a planter, or slave proprietor, in any other; nay, more, he might be the owner of domestic slaves in the colony of Trinidad itself. It appeared to him, therefore, that those feelings which influenced the dictation of that restriction upon the protector of the slaves were more likely to operate in a contrary direction with respect to the domestic slaves, which the protector was permitted to possess. Moreover, the principle of that restriction did not extend to the subprotector and his subordinates, whom it was more important to restrain than the protector himself; for he having a duty almost similar to that of inspector, did not come so much, or, indeed, so immediately in contact with the slaves as his deputies, who ought therefore to be more restricted, and therefore it was, that his hon. friend, the member for Norwich, in the motion which he had brought forward respecting the colony of Berbice, had been particularly anxious that the measure of the government of Trinidad, and which had been partially adopted in Demerara, should have been carried further. Now, in the first place, with respect to the abolition of Sunday markets, how did the measure apply? It prospectively put them down altogether; that was, after certain things should happen, be done, or be brought about, then the Sunday markets should be abolished; so far it was merely conditional, and, indeed, the only thing it ordered directly was, that the Sunday market should be over by ten o'clock in the forenoon. In cases where the market should be distant from the residence of a planter, what was the consequence? Why, that the distance necessarily impeded the operation of the measure favourably for the slave; for his whole day would be consumed in going to and returning from market. Then, though the slaves were prohibited from being worked compulsorily on the Sabbath, yet no equivalent was provided for them for the loss of their own labour on that day, if they themselves should occupy the Sabbath, either for religious purposes, or as a day of rest, and should not work their own provision-grounds. Consequently, in this respect, the order was imperfect in its professed object, inasmuch as it provided no substitute which should prevent the slave voluntarily working on the Sabbath. The separation of families was the fourth head to which he should briefly call the attention of the House—the separation of husbands and wives, and parents and children. That was provided against, indeed, but only in case of a judicial sale. Now, so far was that from giving effect to the intentions of government, that it was of much more importance that the principle should be applied to voluntary sales; that was, to all sales voluntary and judicial.—The last of those regulations to which he should allude, respected the penalty imposed upon slaves who should make unfounded accusations against their masters. By the present regulation, if a slave charged his master with cruelty, and the case should be proved, then there was a fine imposed upon the master; but, if the slave made a groundless charge, and the magistrates should certify that the charge was groundless, what was then done? Why, the slave was delivered back to his master, who was authorized to inflict upon him any number of lashes, not exceeding twenty-five. He took this to be an erroneous principle of legislation altogether. First, it was erroneous to punish the slave summarily in that way for a groundless complaint. If he had made a groundless complaint, it should be matter of regular investigation: and if he was found guilty he should be judicially, not summarily, punished. But, if a punishment of a summary nature should be inflicted, he held this to be the worst way in which it could possibly be inflicted, for it was sending back the slave to the master who was under feelings of irritation, and the master was made the executioner of the sentence; nay, more, he was made the very judge himself, as well as executioner, for it was left to him to say how many lashes, with a maximum of twenty-five, should be inflicted, and with what severity they should be inflicted. This order in council, of which he hoped he should not be deemed to speak with disrespect because he mentioned its defects, for its defects were nothing compared with the good qualities which it possessed, and which if rigorously and effectually carried into execution would be most salutary in putting down some of the very worst abuses, and rectifying some of the most glaring—this order in council was recommended to Demerara. In the court of Policy, it was, however, adopted only partially, leaving out some of its most important provisions, but approving that respecting slave-evidence. Among those omitted was a most salutary provision of the Trinidad order—wholesome and important in itself, but more important in its consequences, by the sanction it gave to an important principle—he meant the provision as to compulsory manumission. This and several other important provisions were entirely omitted in the Demerara order. Besides these two colonies, there were five others under legislative power, in not one of which had any thing been hitherto done. He understood that orders had been sent out, and that a correspondence had taken place, but that, up to this moment, there was not, in one of those five other colonies, any order in council, or ordinance—call it what you will—for the better treatment of slaves. He was not urging this as any charge against his majesty's government. There were, besides these, the thirteen colonies having legislatures of their own; to the legislative history of which he wished to call the attention of the House. When the right hon. Secretary opposite, at an early period of the session, made a statement to the House with respect to what had been done, or was begun to be done, or was in contemplation, or hoped to be done, he took leave to ask the right hon. gentleman certain questions with respect to the amount of the real substantial improvements, under several different heads; and it appeared from his answers, that little or nothing had been done. With respect to five or six of those colonies nothing, absolutely nothing, had been done. But he should like to go into an examination of the documents, and see what was the real state of the case. On four of the returns from colonies possessing legislatures, acting and speaking for themselves, nothing had been done towards carrying into effect the desire of government and of that House. He should begin at once by stating, that there were six in which there was not a shadow of pretext for that omission. These were Antigua, Bermuda, Montserrat, Nevis, St. Kitt's, and another of the Virgin Islands, comprising a slave-population amounting to 80,000—in not one of which had a successful step been taken to give effect to the desires of government. There could not be found a page—not a line—not a word, in the whole of that voluminous correspondence, laid before the House for the last four years up to the preceding day, to prove that the slightest effort had been made in conformity with the wishes of government and of parliament. There was a despatch from the governor of St. Kitt's, to be found in page 69 of the last set of papers laid upon the table of the House, in which governor Maxwell, in a letter to lord Bathurst, says, "I take leave to acquaint your lordship, that the important subject of the law for the amelioration of the slave-population was referred to a committee, formed from both branches of the legislature, and it is with considerable regret that I have to inform your lordship, that little or no progress has been made in fulfilling his majesty's gracious intention." In Nevis the same measure had been adopted, and attended with the same delay. The legislature of the Virgin Islands had not as yet entered upon the consideration of this important subject. So that it was apparent by this, that nothing had been adopted, and that even the propriety of doing something had not been thought of. In Jamaica, which contained the greatest slave-population, and which also contained within itself the greatest white population of any of the West-India islands; and that white population, the most enlightened and most intelligent of the whole West Indies—they, from those circumstances, it would be supposed, could not have with more ease and readiness complied with the suggestions of government; but, looking at the return which had been made, he was obliged to say they had done nothing. Of the nine columns or heads in the return, only three of those heads had been carried into effect; namely, the religious instruction of the slaves, the observance of the Sabbath, and the preventing of levies on slaves on the Saturday. Now, the most important points which had been suggested to them, amongst which was the admissibility of slave evidence, and the marriage of the slaves, had been altogether neglected. An act had been passed to hinder the arrest of slaves on the Sunday, similar to that which protected them on the Saturday. Under the head of "Manumission," it was enacted that where there was a tenant for life, or having any equitable interest in any slave whom he wished to manumit, the value of such slave should be appraised by persons appointed, and the money be put to the credit of the person who had an interest in the estate. This being done, the slave obtained his freedom. Then came the enactment as to protecting the slave in his right of property, in the receiving of bequests, or other personal estate. The Act ran thus—"That any pecuniary bequests or legacy of a chattel to a slave, shall be deemed and considered to be a valid and legal bequest or legacy, and the executor or representative of the testator, shall be authorized to pay the amount of such legacy, or to deliver up such chattel to such slaves." Now, he would call the attention of the House to the last provision of this beneficial enactment, which was to this effect:—"Provided always, that nothing herein contained shall be deemed to authorize the institution of any action or suit at law, or in equity, for the recovery of such legacy; or to make it necessary to make any slave or slaves a defendant or defendants to a suit in equity." So that this Act which gave the slave a right to property, did away with its protection by withholding from him his right of action to recover such property. To be sure, this restriction would have the effect of keeping the slave out of the court of Chancery; and so far it might be deemed a benefit [a laugh]. This restriction withheld from the executor or personal representative of a slave, his right of action to obtain such legacy or other property so bequeathed. Such were the benefits that this enactment conferred on the slave. With respect to that bill, the duke of Manchester, in a letter to earl Bathurst, designates it as "a Bill of very trifling importance." In the same letter, he says, "a bill has also been passed for giving full effect to the new Episcopal Establishment, and I have reason to think, that in all its parts it is satisfactory to the bishop." No doubt it gave great satisfaction to the right rev. prelate at the head of the Jamaica Church Establishment, and he seemed so satisfied that he could not find terms sufficiently strong to express that satisfaction. The hon. and learned member was here about to read an extract from the bishop's letter, when he experienced some interruption which caused him to say, that he was sorry he should have to trouble the House with so much reading, but he should inform them, that about nine tenths of what he had to say would be composed of reading, so that if gentlemen did not wish to attend to him, it would be better they should absent themselves. —The hon. and learned gentleman then read the following passage from a letter of the bishop of Jamaica, addressed to earl Bathurst:—"I have the highest satisfaction in being able to assure your lordship, that the same good feeling, which I had the pleasure to communicate to you on a former occasion, with regard to Kingston, continues to animate every part of the Island I have hitherto visited. Mr. Archdeacon Pope and myself have just completed a progress through all the parishes except two. The general result of our observations has been, a hearty desire on the part of the proprietors, or their representatives, cheerfully to promote, as far as their limited means will allow, any measures which I have thought it my duty to suggest." What will the House think? For the benefit of the slaves? No. The right reverend prelate says, for "the benefit of the Church." "Public meetings have been called in many parishes, and private subscriptions are entered into, to promote the same desirable object." The bishop was satisfied with the state of the island, because he found the people ready to build the church; and he expressed his opinion, that nothing could be done for the slaves till churches were built—till they were filled with congregations—and till the words of religion had operated on their minds. The bishop would not have schools till the slaves had been taught religion. In this he begged leave to differ from the right reverend prelate. The right reverend prelate thought that the slaves should have nothing but oral instruction; what would he think of teaching them to read? The bishop thought the churches should be first built, and then the schools; but he (Mr. B.) thought it would be better to begin with the schools; or both schools and churches might begin at once. The legislative body of Jamaica had certainly done nothing, on the two occasions that the resolutions of the House of Commons were laid before them for their adoption. The first bill grounded on those resolutions was introduced into that assembly by a person who possessed great purity of mind, combined with considerable talent. It was introduced in the year 1824. Its principal object was the admission of slave-evidence under certain restrictions, so as to render it harmless. This bill was, however, rejected by the unanimous voice of the House. And here he should say, that nothing could exceed the degree of vehemence and vituperation which was displayed on a certain occasion, when he (Mr. B.) mentioned to the House the fact of that bill's rejection, and that by the whole House of Assembly. It was not believed that it had been thus thrown out, only one person supporting it. His statement was looked upon as a misrepresentation, and he was told that he was lending himself to the stories of persons who deceived him. Now, if he erred upon that occasion, if he had misrepresented the fact, he had the consolation of erring and misrepresenting in good company. For lord Bathurst says in one of his despatches, that the only measure which was introduced into the House of Assembly in 1824, for the amelioration of the condition of the slaves was a bill to make slave evidence admissible, and it was not singular that that bill was rejected, it having only one individual to support it, namely, the mover of the bill. The consideration of that bill was resumed before a committee of the House of Assembly, in 1825. It began its labours in the September of that year, and having sat upon it some time, it was again brought before the House of Assembly for consideration, and the measure was again lost, by a majority of two to one. Now, what was the measure thus rejected? It enacted that, first, before a slave was admitted to give evidence, he should obtain a certificate, in the hand-writing of the person under whose care he had been. This certificate was to be, in effect, a three years' testimonial of his good conduct. The slave was also required to produce his certificate of baptism, signed by the established minister or rector, who was also to certify to his being a sensible person, and of his having a correct notion of the nature of an oath. Now by this bill, all this, it would be observed, was to be certified by the established minister, and not by the Catholic, the Methodist, or other Sectarian, minister, as the former act would have allowed. If this bill had been carried, it would not have effected the least good; and that for a reason which consoled him for its rejection. In order that the slave's evidence might be admitted, he must have a good character from his master, or from his overseer; so that the person whom he considered to be his enemy, from the ill-treatment he received from him, was the very person who was selected to give him that good character which would render him ultimately a competent witness against that said master or overseer, against whom he might have good grounds of complaint. That measure having such a provision in it, which so attenuated, frustrated, and nullified, all benefit it was intended to bestow, was rejected. The account given by the duke of Manchester, with respect to the rejection of that bill, was important. The duke, in a letter to lord Bathurst, says, "and although this bill was confined in its operation to the cases of murder, treason, and mayhem, and guarded by provisions, which, in the opinion of the most intelligent portion of the community, and of those who possess the largest stake in the country, rendered it perfectly harmless, the clamour out of doors was so great, and the resolutions entered into at parochial meetings so strongly expressed the public feeling, that many members whose sentiments were favourable to the measure yielded to the opinion of their constituents, and voted against the bill, and it was finally lost on a division of 24 to 13." And here he would say that he really felt for the members of this assembly. He personally knew some of them, and the names of many of them must be familiar to the members of that House; and those who knew any thing of them must be aware, that that assembly possessed many good men, who were both endowed with talents and learning How pitiable, therefore, was their situation—to be placed in the House of assembly of a country—to be there bereft of the power of doing that which their own better feelings would induce them to achieve. They were obliged to yield to the public opinion, and compelled to give in to the local prejudices. Proceeding with the extracts from various documents which he read to the House, the hon. and learned gentleman adverted to certain resolutions passed at one of the vestry meetings held in the island of Jamaica, which went to express the opinion of the meeting, that it would be highly advantageous to the interests of the colony to banish from thence, as far as that object could possibly be accomplished, the principles and influence of sectarianism; and that instead of their being further indulged, restrictive and penitential measures should be resorted to. This line of conduct, however, was not pursued until it was found that the negroes on their part seemed inclined to pay attention to sectarian doctrines. How was the fact, then? Instead of milder measures being adopted, stronger ones were enforced, and the population of Jamaica were to repent of errors brought on by others, before any restrictions had become necessary. This was all to be attributed to that zeal for the established religion, which would exclude all other doctrine but that of Protestantism. When the present bishop of Jamaica arrived there, addresses were presented to him from the different islands under his authority. In those addresses he was extolled and praised to the very skies, and the most flattering protestations were made to support the Church Establishment. The promoters of those addresses were hostile to the amelioration of the condition of the slaves; and the great end of those addresses was to discourage sectarian and methodistical principles from gaining ground. Now it was not his opinion, but it was the opinion of all those who knew the slaves best, that if it was a desirable object that the slaves should be enlightened by religious education, that end was to be best attained by encouraging, and not by opposing, Methodists and sectarians. It was an indisputable fact, that already the greatest benefits had been conferred upon the slaves of all those islands through the labours of the Methodists.

Next to Jamaica, which had done nothing or next to nothing, came Barbadoes which contained a slave-population of 79,000, or nearer 80,000. To the return made from that island a supplement had been tacked, to show that a great deal had been done. It stated, that "an act had been passed by the legislature of Barbadoes in December, 1825, in which were many wise and salutary provisions." He did not mean to say, that this return was in favour of the slaves; he only meant to show that Barbadoes had done nothing, or worse than nothing; for he wished that nothing had been done by the local legislature of that island with regard to making laws for the slaves. This last, as he before stated, was passed in the year 1825. Under the head of manumission in the act referred to he found this clause—"That if any slave shall discover and give information of any evil designs or plots of any other slave or slaves, whereby insurrection or rebellion may be discovered, that such slave or slaves who give such information as aforesaid, shall on full conviction of the accused as aforesaid, be declared free, and shall accordingly be from thenceforth free, and be allowed 10*l.* as a pension; and if he choose to continue to remain with his master, such slave shall in that case annually and every year be paid the sum of 25*l.* current money from the public treasury." So that the slave would not only receive his manumission, but a pension also. But this clause was not of such recent origin as might be imagined. In January, 1688, he found that there was this self-same proviso, with this special difference, however—that the slave, although entitled to his freedom, was not to receive any pension. He was merely to get 40*s.* and his liberty. He found another clause in that act to this effect:—"That every slave, in case of rebellion, who shall behave well and courageously in battle, and who shall kill one or more enemies, it shall and may be lawful to declare such slave free." But this proviso, however, just and proper, was by no means a new one; for on looking to the year 1707, it would be found that a similar law was passed by the legislature of Barbadoes; but there was one material alteration, and it was curious to observe the difference of temper which characterized the present government and that of the year 1807. How stood the law in that year? In case of a slave behaving himself courageously in battle, he should then have his freedom, ipso facto; so that after the lapse of a century and a quarter, the addition of a pension was held out to him as a further stimulus to his valour, and in order to encourage him to behave so as to kill or destroy, not only an enemy,—he begged the House to mark while he read the passage from the act,—"in order to kill or destroy one or more of the enemy or rebels." So that an encouragement was held out not only for invasion, but for rebellion also. He did not mean to go through the other clauses and provisoes of this particular act; but if any gentleman would look it over, he would find that almost all its provisoes were in acts passed so far back as the year 1707 and 1767, and one even so far back as the year 1609. Independently of the change which he had already pointed out with reference to this act and that of the year 1707, there were other most important changes made in the law, relating to the quarrelling of slaves, and their use of insolent language to white persons. This which he would now read was new. "If any slave shall be guilty of quarrelling, threatening, or fighting with one another, or of insolent language, drunkenness, indecency, or cock-fighting,"—he wished to state that the extracts which he was reading were copied from the old act —"or of riding or driving in a faster gait than a gentle trot, on any road of this island, or of cruelly beating or ill-using any horse, mare, gelding, mule, ass, or other cattle, or of any other disorderly conduct or misbehaviour." Now, all this was passed on the 9th of August 1749, and he begged hon. gentlemen just to compare the clause which he had read with the 27th clause of the new act; when it would be found, that the most trifling of all offences were subject to a punishment of thirty-nine stripes, to be given at the discretion of one judge, whereas the old act required the concurrence of two judges. But there was still another most important alteration. The old act said, "or of using insolent language or gestures to any white person;" while the words of the new act ran thus—"to or of any white person." Some gentlemen who knew nothing of law, might think that this little word "of" was of no consequence, and by no means material whether inserted or omitted; but, trifling as the word might seem in its present place, in this act it might lead to the severe punishment of thirty-nine lashes, to be awarded by a single judge; but in case of a pregnant woman, the sentence was to be commuted to imprisonment. There was another part of that 27th clause which was of too general a nature, and was therefore liable to abuse. It was this —"or guilty of any disorderly conduct or misbehaviour." Now, he contended, that there was nothing more vague or unsatisfactory than this mode of legislating; for it was almost impossible to define what species of irregularity would come within the meaning of those words; and the clause, as it was at present constructed, was made dangerous, arbitrary, and overbearing, by the omission of the important words contained in the clause of 1749: those words gave a very different meaning to the clause—"any conduct or misbehaviour whereby the public were disturbed, or any particular person aggrieved." Compare the words of the two clauses together, and what a different inference would be drawn from each. One clause gave a definitive sentence, to be followed by a severe punishment inflicted at the discretion of only one judge; while the other left the sentence to the mercy of the accuser, and the two judges, whose joint concurrence was essential as to the extent of the punishment which should follow. There was a clause with respect to the killing of slaves, that made it only liable to an action at law f a slave were killed by accident; and in the same clause it provided, that "if any slave, guilty of robbery, shall hereafter be killed whilst committing or attempting to commit a robbery, or in the attempt to murder a white person, &c.;"—so that if a slave be killed—no matter how, or by whom—the murderer had only to make it clear that he committed the act in defence of his property, in order to excuse him in the eye of the law. In this way, an insolent look or expression might be construed into crime, and the extreme punishment might follow. The act said, you may with impunity kill any slave who does so and so to you. But then, on the other hand, it might be said, that if any white or free person shall maim, mutilate, or dismember any slave, he shall be punished accordingly. It was only within the last two or three years, that the killing of a slave was counted felony. Now it was murder, as the wilful death of a fellow-being was in our own laws. But, to what did this clause protecting the slaves amount to? "If you maim, mutilate, or dismember any slave," that was to say, if you cut his leg, or gave him some bodily wound not affecting his life, you might be prosecuted, and punished by fine; and a person guilty of maiming or mutilating a slave might be punished in the same way as a slave would be punished for trotting his master's horse too fast. The act then proceeded—"That if any person or persons shall hereafter commit any act or acts of cruelty towards a slave, or shall wantonly, maliciously, and cruelly, whip, beat, or bruise, any slave or slaves." Let the House attend to this clause; for this wanton, cruel, and malicious whipping, beating, and bruising — bruising which might extend to any injury of the unfortunate slave, short of actual mutilation—which might maim him and render him wretched for life; for such bruising, this act decreed a penalty of *25l.* currency, which was somewhere about *18l.* or *20l.* sterling. After this part, which was avowedly for the protection of the slave, he would call the attention of the House to a clause which had for its object the greater security of the masters. The clause stated, "That if any slave or slaves shall hear any other slave or slaves speaking any words tending to mutiny, insurrection, or rebellion, &c., and shall not immediately disclose or discover the same to his, her, or their master or owner, or to some justice, &c." Now, before he mentioned the punishment decreed against this act of omission on the part of the slave, he would ask how that slave was to make up his mind, as to subject on which he was called upon to make the disclosure? For, be it observed, he was not required to decide as to what was or was not mutiny or sedition, but upon the incomparably more difficult point—what might or might not have a tendency to those crimes. He was required by this act to weigh the subject seriously, and after maturely deliberating in his mind on the nature of the words spoken, he was expected to come to the same conclusion to which a jury of twelve men on their oaths, having heard evidence and the charge of a judge, might come, as to the tendency of these words; and if he should not arrive at this conclusion—and on that would depend the crime of concealing them—what was the punishment? Was it the payment of 25*l.* currency, as in the case of "malicious and wanton bruising," just noticed? No such thing —but he was to be condemned to suffer the penalty of death. Why, the deciding as to what had or had not a tendency to mutiny and insurrection was a subject full of doubt and difficulty, even to some of the ablest lawyers of the present day, and there existed no little difference of opinion respecting it, and yet the poor, illiterate and half-civilized slave was expected, under a penalty of death, to come to a just conclusion on this most difficult case! There were a great number of other clauses in this act which he would not detail, but they were quite in the same spirit as those he had read to the House. Yet did the colonist think that this act, by a happy union of every thing which could protect the slave and secure the master, would be rendered dear to posterity! The legislature of Barbadoes congratulated themselves on having finished this great work, which was to consolidate and amend all the laws relating to slaves. Now, if he were to say that he was disappointed at this piece of legislation on the part of the Barbadoes assembly—if he were to say that he would rather it had not passed, and that it had made things worse instead of better, it would be considered only as the opinion of one individual; but then, such as it was, it was also the opinion of the governor of the island. That officer, in his despatch to lord Bathurst in November, 1825, enclosing copies of the addresses presented to him on the 15th of that month by the counsel and House of Assembly, said, "It would have afforded me real satisfaction had I been enabled to draw your lordship's attention to any part of the address of the House of Assembly calculated to encourage your lordship to expect, that that body would proceed without delay to adopt, as far as possible, those measures which have been suggested by his majesty's government." This was the opinion of the governor many months after the act from which he had quoted had passed. The council in the address (enclosed in the despatch of November 25) to the governor, after deploring the unfortunate delay which had taken place in passing an efficient slave amelioration bill, added, that, "after the most deliberate and impartial consideration of the measures recommended by his majesty's government for ameliorating the condition of the slave, we feel convinced that some of those regulations are not calculated to promote the happiness or moral advancement of the slave any more than the interest of the master." The address of the House of Assembly, delivered on the same occasion, spoke of the tone of "censure and menace" which pervaded "a portion of the despatch of the noble Secretary for the Colonies, and which form so prominent and so important a part of your honour's speech,"—censure and menace aimed, as it appears, at the House of Assembly; as if the House of Assembly could pass any act, or had passed the act to which his lordship alludes, without the concurrence and assent of the other branches of the legislature. Then, after alluding to the "unreasonable concessions" which were expected from them in favour of the slaves, they added, "If, however, such expectations are, unfortunately for us, entertained by those under whose control we are placed—if nothing less than an implicit conformity with orders in council, the ruinous effects of which are published almost daily in the gazettes of a neighbouring colony—if, in short, a plan has been already organized for our destruction—if it is determined that we shall be the victims of fanaticism, prejudice, and injustice, we must submit; but neither threats nor persuasion will ever induce us to put the finishing hand to our own political, perhaps natural, existence; and we have too much reliance on the justice of our beloved sovereign, to believe that he ever will." What, he would ask, was this, but saying, in other words, that beyond what they had passed in the act from which he had quoted, no further concessions should ever be extorted from them by threat or menace?

He next came to the Bahamas, and there he found that nothing had been done that could be called an approach to an amelioration of the condition of the slaves. The first proceeding to which he would call the attention of the House was that for promoting the religious instruction of the slaves. He knew it was tiresome to the House to have its attention called thus at length to the proceeding of the colonial legislatures clause by clause. He could assure them he did not do so either from pleasure or amusement, for the subject was the driest that could well be imagined; but he felt it necessary to examine in detail what had been done by the colonies, in order to come to a proper conclusion as to what it was probable they might do still further towards carrying the resolutions of that House in 1823 into effect. They had now had nearly four years' trial, and in that time, as some hon. gentlemen contended, much had been done, while others maintained, that nothing whatever had been accomplished by the colonies in the spirit of the resolutions of 1823. On this point the parties were at issue. The only way left, then, was to examine in detail, what they had or were said to have done, and to judge from that of their disposition to go on further. If, however, any of the gentlemen connected with the West Indies would give up this point, and admit that nothing had yet been done, he would not trouble the House further on that point; but, if not, he must proceed in the tedious, but the only way left to him to come at the facts. To return to the act of the Bahamas' legislature. This act was passed on the 28th of January, 1824, and the clause respecting the religious instruction of the slaves, to which he wished to call the attention of the House, was to this effect—"And be it further enacted, by the authority aforesaid, that all masters or owners, or, in their absence, their overseers, shall, as much as in them lies, endeavour to instruct their slaves in the Christian religion, and shall do their endeavour to fit them for baptism, and as soon as conveniently may be, shall cause to be baptised all such slaves as they can make sensible of a Deity and of the Christian faith." This clause was, no doubt, one of the many recent steps which had been taken by the colonists since 1823; but the fact was, that it was a verbatim copy of a clause inserted in an act passed in the same colony in 1796. That act set out with a preamble, stating the necessity of consolidating the slave laws, and of taking measures for improving the moral and religious condition of the slaves: but what said the preamble of the act of 1824? Did it not say "whereas it is necessary to follow up the resolutions of the British parliament of May, 1823, for improving the moral and religious condition of slaves?" No such thing. It set out by saying, "Whereas, it is expedient, that the laws which, from time to time, have been enacted for the government of slaves should be amended, consolidated, and brought into one act, and other provisions made for their protection, and the promoting of their moral and religious instruction, and by means thereof, their general comfort and happiness, so far as is consistent with due order and subordination, and the well-being of this colony." Now, he would ask, was this treating the British House of Commons fairly? They had, in 1823, come to a resolution, that it was necessary that immediate steps should be taken for improving the condition of the slaves. It was then contended, that steps had been taken by some of the colonists in furtherance of that resolution, and as an instance, this clause was cited, which, on examination, turned out to be nothing more than a verbatim copy of a clause contained in the act of 1796, and without even the preamble which headed that act! This, he would contend, was actually doing nothing, or at all events it was not sufficient to support the argument of those who maintained, that something new had been done by this colony.

He would next call the attention of the House to the 5th clause of this act of 1824. That clause stated, "and be it further enacted, by the authority aforesaid, that all and every act and acts, clause and clauses thereof, whereby any tax or duty whatever is or hath been imposed on the manumission of any slave or slaves within these islands, shall be, and the same hereby are (so far as relates to the imposition of any such tax or duty), suspended for and during the continuance of this act, provided always that nothing herein contained shall extend, or be construed to extend, to prevent the public secretary, or register of records of the colony, or any of his lawful deputy or deputies, from asking, demanding, and receiving from the person or persons liable to pay the same, any his lawful fee or fees for the recording of any manumission or manumissions, or otherwise giving legal effect thereunto." Now, to show how far this ought to be taken as doing something towards ameliorating the condition of the slave, he would inform the House, that by a return from this colony in 1822, and signed by Mr. Nesbit, the secretary to the governor, just two years before the passing of the act of 1824, there was under the head of "Taxes on manumission of slaves," this statement "No tax of any kind is charged in this colony on the manumission of a slave;" and yet this was one of the clauses adduced to show that something had been done in compliance with the resolutions of the House in 1823! There was another clause in the act which related to the infliction of punishment of slaves, but it was precisely the same as that contained in the act of 1796, with the addition of this sentence—"That female slaves over twelve years old, should not be publicly whipped under a penalty of 10*l*." In the last papers presented to the House from the colonies, there were several regulations as to various kinds of punishment, the infliction of torture, &c., but without any exception they were verbatim copies of clauses in the act of 1796; the only difference being, that in the two acts, they stood under different sections.

In Tobago, it appeared, that Sunday markets had been abolished, but this was the only island in which such a regulation had been carried into effect. In some of the other islands, regulations had been made, by which the markets were not allowed to continue after ten in the morning of Sundays, but Tobago was the only place in which the Sunday market was wholly abolished. But see in what situation this abolition placed the slave. It absolutely made his condition worse, unless some addition were made to the number of holidays. It was well known that the slave employed a great portion of the Sunday in the cultivation of his own ground. Now that the Sunday market was abolished, inducements were held out to the slaves to discontinue all kind of work on the Sunday; and for that purpose, eighteen days were given to him as holidays, being an addition of ten to the number he had before enjoyed. But this left his condition worse; for hitherto he had fifty-two Sundays, and the eight holidays in which to cultivate his own property; so that by the new regulation he would lose forty-two days. He would therefore contend, that the change could not be considered beneficial to the slave, unless a much larger addition were made to the number of his holidays.

It was said, that an improvement had been made in this island with respect to the admission of slave-evidence. This was admitted by the legislature of the island, but under the following restriction—that in case of murder, or maiming of a slave, there being no white person, not concerned in the act, present, the evidence of two slaves of good repute might be admitted against the accused party; but this went but a very little way towards improvement. But, to show the spirit and temper of the island, and that as late as October 1825, he would read an extract from an address from the legislative council to the governor at that period. After stating what they would agree to, they added—"They have now stated their readiness to carry into effect many of the measures proposed by his majesty's government, to some of which they yield, rather from a sincere desire to conciliate public opinion and trans-Atlantic prejudices, than from any conviction that the proposed alterations can in any way be beneficial to the slaves, or claimed as due to the rights of humanity. But in so doing, they beg leave respectfully, but firmly, to declare, that concession will then have reached its utmost; and a deep sense of their public duty bids them implore his majesty's government to consider and reflect on the earnest appeal now made to their wisdom, discretion, and justice, by this the legislative council of Tobago, against any further alterations, or proposals of alteration, which a mistaken zeal in the cause of humanity may still consider requisite to be effected in our slave-laws, without due deliberation on the rights of property, which such interference must destroy." Towards its close, the address added, "They have in the preceding pages detailed to your excellency the length they are willing to go on the supposed work of amelioration. But they must also declare that they have therein stated their ultimatum. No consideration will induce them to advance one step further in sacrificing those political rights which they acquired when, under the royal authority, power was given them to judge of, and make all laws necessary for themselves; no consideration whatever will induce them further than they have stated, to fritter away and tamper with those rights of property which they conceive rest on no less solid a foundation than the pledged faith of Great Britain, which, as they know it is yet untarnished, they are confident will not first be sullied in their instance; that further interference would effectually destroy those rights of property, the council of Tobago humbly conceive themselves better able to judge of, than any speculators who judge of their effects at a distance." The legislative council thus did all that they could do, and rejected nearly the whole of the orders in council of Trinidad, save those points he had already noticed.

He would next come to the islands of St. Vincent's, Dominica, and Grenada, where it was said that most was done; and he would show that, in effect, nothing had been done towards an effectual amelioration of the condition of the slave. He would proceed, first, to the charges made with respect to the admission of slave-evidence — to the regulations respecting the punishment of slaves, and to those which affected the rights of slave-property. First, as to St. Vincent's; and as to that clause in the act passed there, which it was said would carry most fully into effect the Trinidad order in council respecting the admission of slave-evidence. But, before he went to that, he would read to the House an extract from the address of the Speaker of the House of Assembly, in October, 1825, to the governor. In it the Speaker said,—"I am now, however, happy to inform your excellency, that a bill has been read a second time, and yesterday passed its commitment, with an order for a third reading in December, in which the House hopes it has embodied the substance of all or nearly all that is important in the Trinidad order." Then, after enumerating several of the enactments in the bill, the Speaker added, "And, finally, slave-evidence is made admissible in all criminal matters on the basis of the Trinidad order in council; thus evincing, on the part of the House of Assembly, a similar desire to go to the utmost limits, nay, almost beyond the limits of what it deems safe and practicable, to meet the wishes of those persons in England who have the true interests of the colonies in view." Now, he would contend, that not only was not the substance of the Trinidad order embodied in this act, but that there was nothing at all of its spirit (as far, at least, as the admission of slave-evidence went) contained in it. There were six essential differences between the admission of slave-evidence enjoined by the Trinidad order, and that allowed by the St. Vincent's act. The first was, that by this act, slaves were admitted to give evidence only in cases of murder, or mayhem, or felonies, punishable with death or transportation; the second was, that the slaves were not allowed to be examined until they produced a certificate from a clergyman, stating their knowledge of a Deity, and their acquaintance with the Christian doctrine; the third was, that a certificate was also necessary from the proprietor or, in his absence, from the master or overseer; a regulation which, he contended, went to destroy the advantage of the whole clause, for it gave to the proprietor or master the power of defeating the ends of justice when the case was against any of his friends, which he could do by withholding his certificate. The fourth point of difference was, that the slave was to be first examined by the court as to his proficiency in the knowledge of the Christian doctrine. The fifth difference was, that two slaves should be examined apart, and to make the testimony of either admissible, it was necessary that they should be both altogether consistent in their account. The sixth and last, and most important difference of all, and one which rendered the whole clause entirely futile, and a total denial of justice in those cases where the slave was most likely to be injured, and in which he, of course, stood most in need of protection, was, that in no case was the evidence of a slave to be received, where his or her owner, master, employer, or overseer was affected. Now, would any man tell him, after those differences, that the Trinidad order was in substance contained in the St. Vincent's act? Was this a proof that in that act the legislative council had gone to the very verge of, and beyond, the order, to the end that they might conciliate the people of this country? Would it be said that evidence was admitted, when it was thus seen that it was excluded in those cases where most of all justice required that it should be allowed? It was stated in one of the papers on the table of the House, that no driver, being a slave, should use, as an emblem or badge of authority, a common cart-whip, but no mention was made that such instrument of punishment should not be used by a free negro, or a white man, who might be employed as drivers. This applied particularly to Grenada; but in the Dominica act was a clause to this effect:—"Be it, and it is hereby enacted and ordained, by the authority aforesaid, that for the maintenance of discipline on plantations and elsewhere, a cat, such as is used in the British army, and no other instrument, shall be employed for such punishments as may be lawfully inflicted, and that the whip, commonly called the cart-whip, shall never hereafter be employed either as an instrument of punishment, or an emblem of authority." Yet not a word was here said about the use of this instrument by the drivers of slaves as a stimulant to labour.

He would now come to what this same act said about the admission of slave-evidence. The clause stated, "Be it therefore enacted by the authority aforesaid, that in all cases, not being capital nor of charges against their owners, it shall hereafter be lawful for all courts and magistrates to admit the evidence of slaves having been duly baptized, and appearing to the said courts or magistrates, after having been minutely interrogated on the subject thoroughly, to comprehend the true nature and meaning of an oath; provided always, that in every instance two such slaves at least being duly examined apart, and out of the hearing of each other, shall distinctly depose to the very same facts, without in the least degree contradicting each other's evidence. And provided also, that no one shall be convicted of any offence on the evidence of slaves, unless such offence shall be prosecuted and brought to trial within— months after the commission thereof." By this the House would see, that the clause was rendered futile, by the omission of that which would afford the slave protection against those against whom he most required it; namely, his owners and masters. Why, it was to meet such an evil that the admission of slave-evidence had been directed by the Trinidad order in council; but of this important benefit the Dominica act had entirely deprived the slave. There were, in fact, no instances in which the spirit of the order in council had been embodied in the acts of the colonial legislatures.

If he did not go into further detail with respect to all the other parts of his case, it was not because he could not substantiate them completely. That he could do, if it were necessary; and he begged it to be understood, that he would do so if the correctness of his general statement was called in question. He trusted, however, that he had stated enough to satisfy the House of the necessity of coming to some resolution on the subject. To rest satisfied with merely sending back to the colonial legislatures the provisions of the order in council, without making their adoption compulsory, would be only sowing the seeds of future disappointment. He had therefore felt it his duty to give the House an opportunity, by their vote, of letting it be known—to the government, who he thought did not want any warning, but might require their own hands to be strengthened—to the country, which took a deep and universal interest in the question—but, above all, of letting it be known to the West-India legislatures, who had disregarded, and would persist in disregarding, the wishes of parliament, until parliament roused itself and proved that it was no longer to be trifled with—that the time was at length arrived when, if they did not do their duty, parliament was determined to do that which devolved upon them. By adopting the resolution which he intended to submit, the House would only be doing that which lord Bathurst had stated in his despatches that he expected them to do. Lord Bathurst informed the colonists, that if they did not show a willingness to adopt the regulations contained in the order in council, it was not likely that the present session of parliament would be allowed to pass over without some measures being taken on the subject. This threat, so to call it—or warning, if that word sounded better—had been laid before the colonial legislatures, and yet they had done nothing, or worse than nothing. That being the case, should the present session of parliament be allowed to pass over and no resolution be adopted, the colonists would say that lord Bathurst had attempted to frighten them with empty threats, mere sounds signifying nothing. Such conduct would hold out to the colonial legislatures an additional inducement to do nothing for the amelioration of the slave-population. If, however, the House should now come to a unanimous resolution, consistently with their resolutions of 1823, he had no doubt it would cause the colonial legislatures to adopt a different line of conduct from that which they had hitherto pursued; and if not, parliament would next session have a right, on every ground of fairness and even forbearance, to take into their own hands the work which he was firmly persuaded never would be accomplished but by parliament itself. The resolution which he proposed to submit to the House was framed in the following terms:—"That this House has observed with deep regret, that nothing effectual has been done by the legislatures of his majesty's colonies in the West Indies, in compliance with the declared wishes of his majesty's government, and the Resolutions of this House of the 15th of May, 1823, touching the condition of the slaves; and this House will, therefore, early in the next session of parliament, take into its most serious consideration, such measures as may appear to be necessary for giving effect to the said resolution." He had proposed to defer the adoption of any specific measures to next session, only because the present session was too far advanced to permit of any thing being done on the subject. The hon. and learned member concluded with moving the resolution.]

Mr. *Wilmot Horton* rose and said:—Mr. Speaker; after the very long details into which the hon. and learned gentleman has felt it necessary in the discharge of his public duty to enter, I feel satisfied that the House will indulge me in a patient hearing of those statements which my duty equally requires me to make, not, perhaps, in general contradiction to the hon. and learned gentleman, with respect to some of the details to which he has at such length adverted, but for the purpose of placing the subject in a very different point of view from that in which it has been exhibited by the hon. gentleman.

The hon. and learned gentleman has proposed to the House a Resolution, "That this House has observed, with deep regret, that nothing effectual has been done by the legislatures of his majesty's colonies in the West Indies, in compliance with the declared wishes of his majesty's government, and the Resolutions of this House of the 15th of May, 1823, touching the condition of the slaves; and that this House will, therefore, early in the next session of parliament, take into their most serious consideration such measures as may appear to be necessary for giving effect to the said Resolutions." Now, Sir, I would beg to observe, if the House had not been already fully informed of the course which his majesty's government intended to take—if the government were not already pledged to pursue a particular line of conduct—and if it were not already inevitably necessary that the subject to which the resolution just proposed refers, should occupy the attention of the House—then, indeed, there might be some necessity for the present motion; but as it is matter of notoriety, that preparations have been made for determining the attention of the colonial legislatures to each separate point of the Trinidad order in council, by the introduction of bills prepared in each colony, with such modifications as the peculiar circumstances of such colony, and its previous state of legislation, rendered necessary—no real grounds can be shewn for calling on the House for any pledge as to the future, of the nature of that required by the hon. and learned gentleman. I trust, therefore, that the House will be disposed to consider, with me, that resolution as entirely superfluous and unnecessary, and will be prepared to reject it accordingly. That resolution, in fact, can only be considered as an indirect and covert censure on his majesty's government—as a declaration that all which the government has hitherto done has been idle and frivolous, and tampering with the wishes and purposes of the country.

The hon. and learned gentleman seemed to insinuate, that some members of his majesty's government had stated generally, that the colonial legislatures had already fulfilled the provisions of the Trinidad order in council. That is not the case. The interference of parliament was claimed by the hon. and learned gentleman and his friends, on the ground of the contumacy and resistance which had been exhibited by the colonial assemblies; and all that was contended by his majesty's government was, that such a degree of contumacy and resistance had in no instance been shewn, as rendered it imperatively necessary for parliament to interfere. I entirely concur in that opinion. I would appeal to the House and to the country, whether other motives, beyond those of obstinacy and resistance, might not be discovered, for the conduct of the colonial legislatures? I would ask whether any man can avoid remarking that they have been retarded in their legislation by the impression that the measures which this House has recommended will be fatal to their interests as proprietors? Whether that opinion on their part be correct or not, is not now the question; but I think it will be in my power sufficiently to substantiate the opinion that I have expressed, and to show that the main source of the opposition on the part of the West-Indian proprietors, is the belief that the measures of this House tend to depreciate, if not to destroy, their property. This is the impression which has really influenced them; and nothing can be more erroneous, than to contend that they are actuated, in their present indisposition to adopt the recommendations made to them, by an abstract love of slavery, or by a disinclination to better the condition of their slaves. I do not mean to argue that in a society where slavery has long existed, a feeling of the necessity of slavery may not, in some measure, operate; but I repeat that the opposition of the proprietors has been mainly founded on the conviction, that the humane measures recommended by the government and by the House would necessarily lead to the destruction of their property. The West Indians have also been goaded in their opposition to the measures recommended by the government, by the nature and tenor of many of those meetings from which petitions have emanated, which have been so prodigally presented to this House.

The resolutions of parliament prescribed a course in which temperance and moderation were conspicuous; but the tone of many of the speeches on these occasions was not in keeping with the sentiments which, under the pledge of those resolutions, must characterise the speeches of members in this House: in some of those public meetings, expressions have been employed of the most irritating and offensive nature, and which, in their tone and tendency, threaten ruin and destruction to the West-Indian interests. Under these circumstances, many West Indians have been tempted to identify the violence of certain parties with the measures of the government, consequent upon the resolutions of this House. Nothing can be more unfair than such identification, or more likely to be prejudicial to those interests, which they are anxious to support. At the same time, I am satisfied that, in proportion as these causes cease to operate —in proportion as information becomes diffused throughout the colonies, and as the proprietors are led to entertain a just view of their own interests, and of the real tendency of those measures, some of which they contemplate with so much alarm—in the same proportion will they feel that the measures in question are not objectionable in principle or dangerous in operation. When such a feeling gains ground, it will have the effect of suggesting a line of conduct on their part which will take away those topics, I will not say of declamation, but of argument, in which the honourable and learned gentleman has indulged.

The hon. and learned gentleman has commented at some length on the Trinidad order in council; and, although he is disposed, on the whole, to allow merit to that order, yet there are some points of censure to which he has thought it necessary to call the attention of the House. He considers the order defective in its regulations with respect to evidence, and that the requiring a certificate from an accredited minister of religion, as to the qualification of a slave to take an oath, is an unnecessary and prejudicial enactment. The hon. and learned gentleman must be aware, that the order in council did not affect the existing law in Trinidad with regard to the evidence of slaves who have not such a certificate; that the principle of "quantum valeat" testimony prevailed there previously to the introduction of the order; and that, consequently, the only practical effect of the certificate is, to raise the testimony of a slave who is enabled to produce it, to a direct par with the testimony of a white witness: and I think that the House will concur with me in the opinion, that no bonus could be offered to the negro more calculated to induce him to lend a willing ear to religious instruction, than the contemplation of the important privilege to which such instruction will entitle him under the enactment in question.

The hon. gentleman appears to consider it as a defect in the Trinidad order, that it is not provided, that the "assistant proprietors (that is, all persons who are included in the machinery by which the order must be executed) should be divested of all property and interest in slaves;" but, however captivating such a proposition may be in the abstract, he must be aware how difficult it would be to reduce it to practice in a society where slaves impart the general value to property. And is it expedient, in principle, to hold out to the West-Indians, that their situation as proprietors effectually disqualifies them from ever lending themselves to the execution of any practical improvements prescribed by law? Is it not a contrary impression rather that legislation should have a tendency to engender? Should it not rather mark confidence than distrust? It was an essential ingredient of the Trinidad order, that the protector of slaves should not only be independent, but divested of all sort of interest in slave-property; but it could not be necessary to extend that qualification to any parties who may, on different occasions, be ministerially called upon to execute the purposes of the order.

The hon. and learned gentleman objects to the temporary continuance of Sunday markets. He is aware that their continuance was made dependent on the progressive extension of religious instruction, which would enable the slaves to turn to real profit the freedom from employment secured to them by the Sunday: and I cannot but think, that the course which has been taken has been a wise and judicious one, and that the arguments against it are much more theoretical than practical in their nature. The hon. gentleman must be well aware of the distinction between Sunday markets, and the cultivation of provision-grounds on the Sunday. In some parts of the West Indies (Barbadoes, for example) the slave is fed by the master; in which case there is no necessity for the cultivation of provision-grounds. If the master choose that the slave should cultivate provisions for himself, as a system preferable to that of a supply of bought provisions, it is his duty to provide that, in the course of the six days, sufficient time be allowed to the slave for the cultivation of his provision-ground. It is, of course, his duty and his interest to take care that the slave be not overworked: consequently, that portion of time which is employed by the slave in the cultivation of provisions must be abstracted from the work performed to the master. The benefit received by the master for such abstraction is the production of that food which otherwise he would be compelled to purchase.

The hon. and learned gentleman protests against the punishment which is inflicted on slaves, under a local ordinance in Trinidad, for denouncing their masters unjustly; but, can any man, who will pause to consider the frame of society incidental to slavery, doubt that every discouragement should be provided by law against frivolous and useless complaints, producing unnecessary dissatisfaction in the mind of the slave, and, in their reaction, unnecessary severity on the part of the master?

The hon. and learned gentleman has contrasted the legislation which has taken place in Demerara with that of Trinidad. He has adverted to the resistance which has been made in Demerara to what has been called the "Compulsory manumission clause;" but, if he will refer to the arguments which were offered by the court of Policy on that subject, and which arguments the Secretary of State for the Colonial Department did not consider as justifying any abandonment of the principle, he will find them not expressed in a tone of contumacy, but developing with clearness and precision the extent of injury which the members of the court of Policy conceived would attach to them under the operation of that part of the order. The explanation which lord Bathurst has given of the effect and operation of that particular clause, will, I have no doubt, induce their voluntary assent to it; but, under any circumstances, no kind of concession is intended by the government to diminish the fair operation of that enactment. I confess, Sir, that I entertain an entirely different opinion from that of the hon. and learned gentleman, with respect to the conduct of the planters of Demerara. I find a very extensive adoption of the enactments of the Trinidad order, and this at a period when late events might have given a sort of colouring to a more tardy compliance. I find them remonstrating argumentatively in all cases in which such adoption has not taken place. And it is most satisfactory for the House to understand, that the working of the new system of slave-legislation in that colony has not been attended with any practical disadvantage.

The hon. and learned gentleman appears to suppose that in other colonies not having legislatures no advance has been made. In St. Lucia, a local ordinance, to be confirmed by an order in council, analogous to that of Trinidad is in operation. In Berbice, the provisions now in force in Demerara are on the point of being immediately adopted. The same at the Cape of Good Hope. In the Mauritius it has been delayed by the accidental absence of the commissioners of inquiry. The hon. gentleman protests against the deference which has been paid to the colonists, in inviting their opinions on the order. But is he not aware that, to make legislation safe, it must be practical; and that to enforce on every colony the system of law, without those modifications which different forms of law (the

French and the Dutch, for example,) make necessary; and without attention to the course of practice which has prevailed in each separate community, would be to act on erroneous principles of legislation? If, therefore, legislation has been retarded, in consequence of instantaneous and compulsory legislation from home, as recommended by the hon. and learned gentleman, not having been pursued, that retardation has been attended with a practical benefit, which more than compensates for the delay.

The hon. and learned gentleman has commented on the backwardness of Jamaica in acting on the measures recommended by government. On some points, however, it is necessary to undeceive the House. He speaks slightingly of the act to prevent levies on slaves on Saturdays: he has adverted to the expressed opinions of the duke of Manchester. I beg to read to the House what his grace says with respect to that act, in a letter dated 18th October, 1825. "In regard to the act of last session, to prevent levies on slaves on Saturdays, to which your lordship observes that I seem to have attached some importance, I certainly still regard it as a measure of protection to the slave, which enables him to carry his provisions to market on the Saturday; whereas, before the passing of this act, the slaves of indebted persons could not venture to go out to market on any other day than on Sunday; and I am of opinion, that nothing is more likely to contribute to the extinction of the Sunday market, than the liberty which is by the late act afforded to slaves of attending their markets on Saturday, without fear of being molested for the debts of their owners." The hon. gentleman appears also to undervalue materially the act for removing impediments to manumissions of slaves by owners having only limited interests [P. 4 of the Parliamentary Abstracts]. The House will find that this act completely lets in the principle of what has been called "compulsory manumissions;" that is, the substitution of money for property in slaves. Under this act, a party who has the ultimate remainder in a property on which there are slaves, and in whom, therefore, the property may be considered legally to exist, is compelled to receive a sum of money, assessed by a fair valuation, in lieu of any slave whom the tenant for life, under the permission of three magistrates, may think it expedient to manumit. I think, therefore, that the hon. gentleman is by no means disposed to express a fair degree of satisfaction with reference to this act of the legislature of Jamaica.

The hon. and learned gentleman has commented on the letter from the bishop of Jamaica, addressed to lord Bathurst, in which his lordship refers to the "hearty desire, on the part of the proprietors generally, or their representatives, cheerfully to promote, as far as their limited means will allow, any measures which he has thought it his duty to suggest for the benefit of the church." Now, with respect to this concluding phrase, any person who will take it with its context, will see that it was not used with reference to any benefit intended to accrue exclusively to the church, but that it was used in a more extended sense, with reference to the advantages which a church establishment was deemed likely to produce. Nothing can be more satisfactory than the accounts which have been received from the bishops of Jamaica and Barbadoes. They anticipate, and with reason, the best possible results from the measures adopted for the promotion of education throughout the colonies. They report that they have received every assurance of the most genuine and unaffected support. The Speaker of the Assembly of Barbadoes thus expresses himself on the part of the House:—"It is with peculiar pleasure and satisfaction that we interchange congratulations with your honour on the episcopal establishment which his majesty has been graciously pleased to confer on this portion of his dominions; and, under the fullest persuasion that it will be of the most important benefit to the interests, both temporal and eternal, of all classes of our community, we declare our readiness to concur in any measures that may be deemed necessary to give furtherance to the great objects of this institution." The hon. gentleman attributes this support of the espiscopal establishment to a hatred of sectarianism on the part of the colonists, rather than to any abstract regard for the interests of the church. Such opinions require to be expressed with qualification. Undoubtedly in many instances, the colonists have shown an antipathy to sectarianism, under the impression, whether erroneous or otherwise, that their property was likely to suffer under the influence of feelings disseminated and encouraged by certain sectaries. And if they believe that all the advantages of education, and of the introduction of religious knowledge, can be obtained through the instrumentality of the church establishment, without danger, it is not unnatural that, independent of other motives, they should entertain a preference for that establishment. I beg to be understood as not entering into the question of the justice or injustice of the impressions so entertained, but as referring the motives of action on the part of the colonists to their proper source.

The hon. and learned gentleman has analysed the Slave-Evidence bill which was brought in in the Assembly of Jamaica. He is aware that the second bill that was brought in was infinitely more satisfactory than the first. But it is necessary that the House should understand the principles on which this Evidence bill and other meliorating measures have been rejected. I would refer to the speech of Mr. Recorder Burke, on the 6th of December, 1825. He says, "My right to my slave is as much sanctioned by law, and should be as sacredly protected to me, as the right of any gentleman in England to every acre of land which he possesses. This right, so sanctioned, it is now intended to sacrifice at the shrine of delusion. Be it so. I would go hand in hand with the emancipators. I am as true a lover of freedom as the most sincere among them; and I believe that some of them are influenced by motives of honour and sincerity. But if we are to aid in the great work of freedom, let not justice be altogether lost sight of. Let us not be the only sufferers. Let a definite pledge of compensation be given. Let the amount be full, and fixed at once;—let the source from whence it is to flow be pointed out, and all opposition on the part of the colonists, it cannot be doubted, would instantly cease. But has this fair—this reasonable—this honest kind of consideration ever been bestowed upon our case? Not at all. Compensation has been hinted at, but at a distance; and we are required to go on, step by step, by means of the enactments of this House, to diminish the value of our properties; and when, at last, they shall have become totally valueless, then we shall be asked, perhaps, exultingly, what is the amount of the compensation to which you think you are entitled? This, Sir, is the fate with which you are threatened." &c. I have no hesitation in expressing an opinion that this reasoning is fallacious—that it arises from a very imperfect appreciation of the measures proposed by his majesty's government. I look to the effect of time and explanation to correct these erroneous opinions; but I am justified in citing them, as a proof that the opposition in the West Indies to the measures of the government, is founded on a dread of the pecuniary ruin which is expected to ensue from them. I do not wonder, Sir, at the jealousy which is felt on the subject of property. If slavery be an accursed system, it is one for which I shall ever contend that the people of this country are equally responsible with the West-Indians; and we have only to recollect the jealousy which we feel at any supposed invasion of our properties here, to diminish the acrimony of our resentment against the effects of that alarm, however disproportionate and untenable, which operates on the West-Indian legislatures at the present moment. The same sentiment is conveyed in the address and petition to the king, from the Assembly of Jamaica, of the 16th of December, 1824. They request, "that a just and fair indemnity may be provided against the consequences which they have too much reason to apprehend will be produced by the measures which have emanated from the British parliament." Again, in their address and petition to the king in December, 1825, they say, "The injustice of forced innovation is greatly aggravated, because the government, which has meditated an awful change in our long-established institutions, has provided no fund to compensate the loss to which property is thereby exposed, and which has been already deteriorated in value." In Trinidad, the same sentiment is to be found;—"That emancipation should be fully indemnified to the owner, according to the produce of the estate; and allowing for the probable benefit to be expected from any late improvements on his property." In Tobago, in October 1825, the legislative council "invoke the justice of Great Britain, to which no appeal was ever made in vain." With all humility, yet with the confidence of men only demanding their rights, the council require of his majesty's government, that, if they stretch the hand of power to effect any further interference with the domestic management of slave property, they will, while they hold forth amelioration on the one hand, make proffer of ample "compensation on the other." If, as I have already said, the West-Indians have been too prone to identify the extreme views of certain individuals with the measures of government, founded, as they are, on the safe and temperate resolutions of the House of Commons, is it not to be expected that when those measures are separated from the context of such opinions, and their real tendency and object are duly analysed and appreciated by the colonists, the resistance and opposition which have too extensively prevailed throughout the West-Indies, will be found to relax and give way to a better feeling?

The honourable and learned gentleman has, in many instances, attacked the provisions which have been found in the consolidated slave acts of different islands; and has brought forward, as if they were new enactments, many clauses which I will not deny to be highly objectionable, but which are coupled with others of a more salutary nature. The honourable gentleman is aware, that when a consolidation act containing salutary new provisions, while it retains the defective enactments of prior legislation, is referred for the allowance of the Crown; if such allowance were withheld, the new provisions, however advantageous could not be brought into operation. But with respect to that prior date of legislation, I would beg to ask the hon. and learned gentleman, if the government of this country—if parliament—nay, even if the country itself, are not equally responsible with the colonists. Did not these laws receive the consent of the Crown, after they had passed through the colonial legislatures? Was not the country, in a certain sense, cognisant of all their clauses and provisions? And, if it did not then protest against them, why turn round now and charge the West-Indian proprietors with being exclusively destitute of common feeling and common humanity, for maintaining these laws, to the enactments of which, those who occupied seats in this House were, some years back, at least indirectly, conscient and were therefore equally responsible for all that violation of humanity which was scattered over the field of West-Indian legislation? What can be expected under such circumstances, unless the feelings of proprietors can be conciliated, and their services be made really available to the attainment of the object for which parliament stands pledged? What comparison can be made between such voluntary consent, founded on reason and conviction, and the force of any machinery to which the House might resort for the purpose of securing sudden and uncompromising obedience? The honourable gentleman has complained particularly of the Consolidation law of Barbadoes. By reference to page 20 of the papers presented to parliament, it will be seen that lord Bathurst informs the officer administering the government of Barbadoes, "That the king in council would have proceeded to disallow this act, had not his majesty been advised to suspend that measure for the present, in the hope that the legislative council and assembly will, at the earliest period, proceed to frame a new act, of a more satisfactory nature:" and, whatever defects that act may have (and that it has many, I should be the last person to deny)—the House, perhaps, will be disposed to anticipate a correction of those defects, when I read to them the concluding passage of the address of the Speaker of the Assembly in November last: "We, however, beg leave to assure your honour, that, if the noble Secretary for the Colonies will condescend to point out the defects and omissions of the act which passed the late House of Assembly, for consolidating our slave laws, and ameliorating the condition of that class of people so immediately dependent on us, we will take his suggestions into our earliest consideration—prompted as we are, both by humanity and by interest, not only to do all that can lawfully be accomplished for their benefit, but also by a sincere desire to meet, if it be possible, the wishes of his majesty's government: and to this end we will readily and earnestly co-operate with the other branches of the legislature."

The honourable and learned gentleman has commented in great detail on the various points of the Trinidad order in council, and has contended that none of them have been effectually adopted in any one of the legislative colonies. If the House will have patience to follow me in this part of the subject, which necessarily involves so much tediousness of detail, I think I can satisfy them that the statement of the hon. gentleman is of infinitely too sweeping a nature, and that he has failed to establish any sufficient ground for that opinion. It will be found, on reference to the abstracts of the acts passed, that six of the nine legislative colonies, Jamaica, Bahamas, Dominica, Grenada, Tobago, and St. Vincent's, have made enactments upon the subject of Sunday markets, and religious instruction. The other three, Barbadoes, Antigua, and St. Kitt's, have, as yet, not legislated on this point. It may be true, that some of those enactments may have repeated the words of former acts; but that repetition, under the circumstances of the invitation which has been given them to legislate, must be considered, in some respects, as new and substantive legislation. The honourable gentleman protests against the inefficiency of the legislation upon this subject in Jamaica. In the Clergy Consolidation act of December 1825, it is enacted, "That it shall be part of the duty of each rector in the island to appropriate a certain portion of time on each Sunday, either before or after the performance of divine worship, for the instruction of every free person, and of every slave who may be willing to be baptised and instructed in the doctrines of the Christian religion; and such rector shall, during such portion of time, attend in his church for the performance of this part of his duty." It is surely too much to contend that Jamaica has not legislated on this important subject.

With respect to evidence—six of the colonies, Barbadoes, the Bahamas, Dominica, Grenada, Tobago, and St. Vincent's, have legislated; and three of them, Jamaica, Antigua, and St. Kitt's, have not. If the provisions respecting the admissibility of the evidence of slaves, in the Grenada act, be examined, they will be found, notwithstanding the comments of the honourable and learned gentleman, to present an instance of effectual legislation, which, though not perhaps comprising all the advantages of the Trinidad order, claims for the legislature of Grenada praise rather than censure.

On the subject of marriage—four colonies, Jamaica, the Bahamas, Grenada, and St. Vincent's, have legislated; and five, Barbadoes, Antigua, Dominica, St. Kitt's, and Tobago, have not. An examination of the provisions respecting the marriage of slaves in the Bahamas, will justify my assertion of the merit of that legislation.

With respect to property—seven colonies, Jamaica, Barbadoes, the Bahamas, Dominica, Grenada, Tobago, and St. Vincent's, have made enactments; Antigua and St. Kitt's have not. In the Tobago act, after a preamble, reciting, "that the negroes have always been in the habit of enjoying their personal property without control; yet, nevertheless in order that such right may be ascertained by legal provisions," it is enacted, "That any slave in possession of personal property, of any description whatever, fairly acquired, shall be entitled to hold and enjoy the same, without the let, hindrance, claim, or molestation of any person whatever; and may freely, and without control, sell, barter, grant, or bequeath the same: and such slave shall be entitled to bring all actions personal for recovery of his or her personal property; and slavery shall not be a valid plea in abatement or bar of such action; any law, usage, or custom, to the contrary thereof in any wise notwithstanding."

With respect to manumissions—Jamaica, Barbadoes, the Bahamas, Grenada, and St. Vincent's, have made enactments; Antigua, Dominica, St. Kitt's, and Tobago, have not. I have already adverted to the manumission law of Jamaica. By that of Grenada, the substitution of a slave of equal value is permitted—which is an approximation towards a pecuniary substitution; and this important enactment is introduced, "That whenever any question shall arise touching the liberty of any person detained or claimed as a slave, the proof of the slavery shall in all such cases lie on the claimant of such person as a slave."

On the subject of the sale of slaves for debt—St. Vincent's has made an enactment; the rest have not.

On the non-separation of families—Barbadoes and Grenada have made enactments; the remaining colonies have not. In Grenada it is enacted, "That if in the execution of any judgment, sentence, decree, or order, any slave or slaves shall be sold separate and apart from their husband or wife, or child or children, or any unmarried female slave and child or children, as previously described, shall be sold separate and apart from each other, such sale shall be absolutely null and void, to all intents and purposes whatever."

On the subject of general punishments, Barbadoes, the Bahamas, Dominica, Grenada, Tobago, and St. Vincent's, have made enactments; Jamaica, Antigua, and St. Kitt's, have not. The hon. gentleman has commented on the St. Vincent's act, in depreciation of its clauses; but an examination of them will show that they have incorporated much of the Trinidad order; and, although the prohibition to carry any such instrument as the cart-whip is limited to slaves, and the hon. gentleman infers that white persons are not prevented from doing so; it is well known that, in point of practice, it is the slaves who are in the habit of carrying such instruments.

With respect to the flogging of females, Barbadoes, the Bahamas, and Dominica, have made enactments; Jamaica, Antigua, Grenada, St. Kitt's, Tobago, and St. Vincent's, have not.

With respect to Saving-banks, no enactments have been made.

For establishing a protector of slaves, Barbadoes, the Bahamas, Grenada, Tobago, and St. Vincent's, have made enactments; Jamaica, Antigua, Dominica, and St. Kitt's, have not. In Tobago it is enacted, "That the President of the council, the Speaker of the House of Assembly, and the Judges of the court of Common Pleas, shall be the guardians of slaves; with full power and authority to entertain all complaints made to them by any slave, for or in respect of any cruelty, ill-usage, or violation of the provisions of the act."

It will be argued, perhaps, that the statements which I have made, and to the accuracy of which I pledge myself, establish the fact of the general inefficiency of the legislation which has taken place. It is in no degree necessary for my argument that that inefficiency should be disproved. The question is: has not a real commencement been actually made? Have not valuable enactments been passed? Has not enough been done to show (especially when the reasons which have prevented the accomplishment of more are considered), that there has been no degree of contumacy and resistance, which makes the immediate interference of this House necessary? And if its immediate interference be not necessary, what advantage is there in pledging the House to an abstract resolution, which is in no degree meant to interfere with the direct measures which have been taken by his majesty's government, and announced to the House? I would appeal to the House, whether it be not time enough to consider the propriety of acceding to such a resolution, when the time shall arrive in which the late proceedings of his majesty's government shall be a matter not of speculation, but of record.

I cannot conclude without calling the attention of the House to the admirable observations which will be found in page 91 of the "Further Papers," by Mr. Jeremie, on whom devolved the duty of preparing the slave code for the island of St. Lucia. He states his object to have been, "To render the law as mild as is consistent with a state of compulsory service, so as to put an end to alterations, and even to proposals of alterations, which contribute more to diminish the value of property than the alterations themselves. And therefore, to repeal all those cruel enactments which even the existence of the Slave-trade could not excuse, under pretence of their being necessary to reduce to submission the untamed African, but which since the abolition had become a needless disgrace to the penal code. Yet, as the two chief incentives to exertion are the hopes of rewards and dread of punishments; feeling that, in every stage of society, the happiness of inferiors will necessarily continue in the hands of those above them, to leave the owner in legal possession of sufficient power; to interfere, as already remarked, only where cruelty commences; to compile a system rather practically useful than theoretically pleasing; and having constantly in recollection the resolutions of the House of Commons, earl Bathurst's instructions, and Mr. Canning's speech, with a scrupulous, and I trust, proper regard to the very great value of the properties at stake, 'to frame such effectual and decisive 'regulations for meliorating the condition 'of the slaves, as will gradually prepare 'them for a participation of the rights 'and privileges enjoyed by all other 'classes of his majesty's subjects.'" Mr. Jeremie proceeds to contrast the antagonist feelings of certain abolitionists and certain West-Indians. He adds, that the only safe course is that middle course prescribed by his majesty's government; and he concludes with this important observation: "The conviction is becoming general, and it is my fervent hope, that from the day of the abolition of the trade may be dated the gradual decline of West-Indian slavery; that under British government, like British villeinage, it will imperceptibly become extinct, but with a celerity proportioned to the more general circulation of useful knowledge."

I have trespassed too long on the time of the House to be justified in recapitulating the arguments which I have presumed to bring forward, to induce the House to reject the resolution proposed by the hon. and learned gentleman. But before I sit down, I beg leave to notice and to repel a personal attack which the hon. and learned gentleman has made on me in the course of a former debate. I beg to deny the charge that I am an "uncompromising supporter of all the abuses of the West-Indian system," or that I am "the supporter of the West-Indian interests," in the invidious sense in which the hon. and learned gentleman has applied that term to me. I refer the hon. gentleman to every thing that I may have ever said or written, to any words that I may have ever used in any conversation, whether confidential or otherwise; and I defy him to show that I have ever uttered one word in contradiction to the spirit of the resolutions of 1823, which received the unanimous sanction of parliament. In the situation which I hold, whatever variations of opinion I might entertain, I have considered myself bound in honour to adhere, with the utmost strictness, to those resolutions; and I repeat the challenge to any man to show that I have ever expressed myself otherwise.

The principles which have influenced the government in the legislation which they have carried into effect, have been so clearly and eloquently stated by my right hon. friend, the Secretary of State for Foreign Affairs, as to make it unnecessary for me to repeat his arguments. Nothing can have been less mysterious than the views and feelings of the government on the whole subject.

I have been induced to say thus much in justice to myself; and I trust that the hon. gentleman will abstain in future from making imputations on my conduct, which are calculated to operate prejudicially against me in the discharge of the duties belonging to the situation which I have the honour to hold. No charge can be more inconvenient than that of partisanship, which has been preferred against me by the hon. and learned gentleman.

Mr. *Brougham* said, he had no intention of charging the hon. member with being a partisan, in the sense in which he seemed to have understood the word. All he meant to impute to the hon. member was, that he appeared to have a greater delicacy in interfering with the interests, or supposed interests, of the West-India planters, than any other of the members of his majesty's government; whereas, from the official situation which he held, it might reasonably have been expected, that he would have surpassed them all in zeal to carry the measures recommended by the orders in council into effect. But, to contrast the conduct of the hon. gentleman with that of the right hon. the Secretary for Foreign Affairs: when the hon. member for Weymouth last brought forward his motion on this subject, the hon. gentleman proposed meeting that motion by a direct negative, whereas the right hon. Secretary was contented to get rid of it by moving the previous question.

Dr. *Lushington* said, that three years had now elapsed since the resolutions of that House had been passed, and the order in council issued, yet not a single colony had, up to the present day, taken one step towards adopting the principles recommended to them by parliament and the Crown. The House was, however, told to wait till another session, in the expectation that these colonial legislatures, which had hitherto done nothing, might at last manifest signs of repentance, and, in good earnest, begin to carry the wishes of government and the country into execution. How could they, however, expect that any mere declarations of their opinions would have any effect, when they found that persons of the highest character and the greatest power in this country actually, by their conduct and expressions, gave a countenance to the resistance which the colonists on all occasions offered to the measures of the abolitionists? If he was, indeed, to judge from what was said in another place, he might assert that even some of his majesty's ministers held sentiments different from those which others of the same ministry maintained in that House; and that the utterance of those sentiments confirmed the colonists in the opposition which had been the subject of complaint, and protracted the time when a final amelioration of the condition of the slaves could be effected. Not two months ago, these opinions had been made public; and lest they might suppose that there was any thing in the language or the circumstances which could possibly create a misconception, he would read the one and the other; and when they saw how different the language and the feeling of the right hon. Secretary for Foreign Affears seemed to be from the noble and learned lord at the head of the other House, they might, perhaps, acknowledge the propriety of those efforts of his learned friend, which were now called unnecessary, and feel less disposition to blame those who wished to press upon the House, through the means of petitions, the necessity of immediate and urgent declarations. The right hon. Secretary said, on the discussion of the question in that House, that no Christian could possibly deny that the spirit of the Christian religion was hostile to slavery. This was language consonant at once to truth, and to the spirit of the professions which his majesty's ministers had so often made in that House; but what said the noble and learned lord in the other House? "A great deal had been said about this condition of slavery being contrary to the genius and spirit of the British constitution, and of the Christian religion; but when he considered that the system had been promoted by so great a man as lord Somers, he must hesitate in saying that it was so contrary to the spirit of the British constitution as had been alleged." Now, he was sure that at this time no man who spoke his honest opinion could doubt that slavery, in all its shapes, was wholly hostile and repugnant to the principles of the British constitution; but in point even of historical fact, the assertion of the noble and learned lord was not borne out by any authority. There was no proof whatever that he had been able to discover (and some of his friends who were much better versed than he pretended to be in the constitutional history of England, had been equally unsuccessful in their researches) of lord Somers having approved of or supported the establishment of slavery. It was true that he was a party to the Assiento contract, which formed a part of the treaty of Utrecht, but this fell short of proving against him the guilt which the noble and learned lord sought to lay to his charge. If, however, it had been true, it formed no argument for the perpetuation of a system which every feeling of justice and humanity condemned; and would it not have been better to bury in oblivion a fault which was not lord Somers', but that of his times, and which could only cast a stain upon his just reputation, while it left the question, in support of which it was adduced, wholly untouched? But there was much more in the address of the noble and learned lord which he could not forbear from blaming. He had said, that "the same system of slavery was adopted and supported by a bench of bishops, as learned and as pious as had existed in any period of this country's history, and that when he recollected this fact, he could not bring himself to believe that it was so contrary to the genius of Christianity as some people had said." Now, he had much difficulty in believing, that if the question were fairly put to a bench of bishops, in that or in any other place, they would be found to raise their voices in support of so odious a practice; and he was borne out in that opinion by the part which the clergy of the present day had taken in this question. Of the numerous petitions which had been laid on the table of the House, very few indeed would be found which did not contain the signature of the clergyman resident in the parish from which they proceeded. He had dwelt so long upon this topic, because until the principle were admitted, nothing could be hoped to be effected towards destroying the system. But, although he thus openly declared his disapprobation of slavery, he had never advocated its extinction by any other than just and honourable means. He did not believe that the reluctance which the West-Indian proprietors abroad had to adopt the recommendations of this country, proceeded from any innate love of slavery, but from those prejudices, and that contamination which persons bred in that scene of error could not avoid. He could not be accused of imputing unjust feelings to the West-Indians, when he said he believed they had done no more than he might have done, if fortune had thrown him into the same situation. The great practical objection which was raised against the putting an end to this system of slavery was, that it would attack the property of a great many individuals. This was a difficulty, he knew; but in the interests of states, as in the affairs of private persons, any deviation from the principles of rectitude and honour cost great trouble in recovering the right path. But he had never said, that the loss which must attend this measure should fall exclusively on the West-India body, or that they might not be entitled to compensation. To make out their title to that compensation, however, they ought to evince a prompt obedience and acquiescence in the wishes which parliament and the country had so unequivocally expressed. It was their duty to do this immediately, or at any time which suited the interests of the slaves; and he believed that if the measure were carried into full and immediate practice, so far from the property of the West-Indians suffering any loss, its value would be increased by its being placed on a basis of security. The good will and fidelity of the slaves, which experience had shown it was not difficult to secure, would then be a valuable protection to their masters, instead of their feelings being excited to mutiny and revolt, as they were now so frequently, by a sense of their wrongs. He acknowledged that it was not possible to do all that was contemplated to the present race of negroes; but there could be no reason why the evils under which they laboured should be extended to their offspring. But the bulk of the people of England, he knew, and the House knew also, by the number of petitions which had been laid upon the table, were in unison with the feelings which he now expressed; and he was sure there was no pecuniary sacrifice which the planters could reasonably require, that they were not ready to make. When he urged, as he did vehemently, the necessity of some immediate remedy, he would remind the House of the consequences of delay. Even at this moment, the condition of the slaves in the West-Indies was such as to excite the most painful sympathy in the minds of every person of ordinary feeling. The hon. and learned member then quoted from Mr. Coleridge's "Six months in the West Indies," which he said by no means gave an exaggerated picture of the sufferings of the negroes, a description of the painful feelings excited by the sight of a female negro labouring in the fields, which, however some persons might choose to scoff at, it would convince every one with the feelings of a man, that no time ought to be lost in applying a remedy to such evils. In Barbadoes it was stated, that many of the distressed whites were supported by the charity of the negro population; and notwithstanding the degraded state of the slaves in the island of Jamaica, the bishop of that place attributed all the vices of which they were guilty to their want of religion. In the speech of Mr. Maynes, in the Legislative Assembly, he said, that although he was surrounded by hundreds of negroes, he could lay his head on his pillow in perfect security, and without a door being locked or a bolt drawn, or the least expectation of injury either to person or property. If these representations were true, what reason could there be for delaying to another session, that which might now be profitably and justly performed. What reason could be urged against this House declaring that, unless the West Indian body should adopt some efficient measures, they would take the matter into their own hands, and do that which every argument, and the most enduring patience had hitherto failed in inducing the West Indians to adopt? It was too plain, that that body were actuated by a temper directly opposed to the opinion of the House. The votes of money to Mr. M'Queen and to the editor of the "John Bull," proved that they not only encouraged a bold and open defence of slavery, but that they engaged agents to attack with the most scurrilous abuse, all who differed in opinion from them on this point. It was in vain to pretend that the opposition which was raised in this country against slavery, was only created and kept up by the Anti-Slavery Society. On the contrary, the force of public opinion was its only support, and the perfect unanimity with which persons of all opinions in matters of religion and politics approached the House, and claimed by their petitions the fulfilment of their common wishes. Before he sat down he would take that opportunity of stating, that he had no personal enmity to the West-India interests. On the contrary, he was a member of a committee, in 1807, wherein it was proposed to allow sugar to be distilled; and on that occasion, singly and alone, on his own side of the House, he supported the motion of government. On the slave consolidation laws, too, he found that some clauses pressed more heavily on the proprietors than he thought was fair; in consequence of which, he altered the clauses, so as to protect their interests. He mentioned these facts only that it might not be said of the observations he had made that night, that they were those of a man who, having nothing of his own at stake, was forward to perform an act of humanity at the expense of others. In conclusion, he expressed a wish that the West-Indians abroad would attend with impartiality to the discussions in that House, and act with such justice towards their slaves, as would render any interference on the part of the legislature unnecessary—a measure which he was sure would not only be universally agreeable to the people of England, but which might be adopted without any loss of property to themselves.

Mr. *Bernal* said, that no man would be found to stand up as the bold, uncompromising advocate of slavery, to defend the same as an abstract principle; but, in making this admission, he must at the same time declare, that no arguments had been or could be advanced to justify the indiscreet haste with which some hon. members would proceed to the adoption of measures calculated to produce a very injurious effect upon the whole property vested in the West-Indian colonies. He, in common with the general body of planters, would be happy to follow that course of proceedings which would lead to any real amelioration of the condition of the negroes; but the same must be traced out slowly and cautiously, and, in order to produce certain and beneficial effects, must be undertaken with a due regard to the capability of the negroes for receiving those advantages which it might be proposed to confer on them.

It could not be denied, that the public mind and feeling of the empire of Great Britain had been, in many instances, unfairly and unkindly directed (to use no harsher expressions) against the West-Indian proprietors, and it was but a natural consequence that the planters should themselves feel at times sorely and deeply, since they had not experienced that candid, just, and becoming treatment which they, equally with any others of their fellow subjects, had a right to expect upon questions affecting their dearest interests. When attempts were made to enforce new and most important regulations and enactments, with a degree of precipitation unparalleled in history,—when irritating language was resorted to on frequent occasions,—the West-Indian proprietors, and particularly those resident in the colonies, naturally conceived that their privileges and interests were attacked, and that it was time for them to step forward and use every fair means in their own defence.

The just and necessary principle of compensation had not been openly and generally avowed on the part of the nation at large: true it was, that several of the anti-slavery petitions which had been addressed to the House of Commons had recognised the doctrine of compensation; but the language, tone, and temper of some of the petitioners were indeed remarkable. He would beg permission to read an extract from one of the petitions which had been received by parliament, and printed by their order, and which by chance had arrested his attention.

"The petitioners beg to approach the House, to express their abhorrence of slavery as a violation of the natural rights of man, contrary to the spirit of the British constitution, and utterly at variance with the dictates of the Christian religion; and that your petitioners cannot but regard the permission which our country has given to the system of slavery in our colonies as a great national crime, justly meriting the Divine vengeance. Your petitioners, therefore, humbly and earnestly entreat the House to lose no time in absolving our country from the guilt and disgrace of continuing this nefarious system; and to grant to that portion of our fellow men now held in a state of barbarous and cruel bondage within the British colonies, a full, free, and immediate emancipation,—a measure the petitioners are convinced is safe and politic, as well as just, both to the colonial proprietor and to the slave; and in this opinion they are supported by numerous and well-authenticated facts on record, and to which they would recall the attention of the House, but most particularly to the emancipation of the whole of the slave-population of the southern and western colonies of St. Domingo, in 1793, by the French commissioners, which was executed at once, without occasioning any disorder among the slaves, or other ill consequences to the colony. Your petitioners refer to this event with the greater confidence, as they submit to the House it is perfectly conclusive as to the practicability, safety and advantage of immediate emancipation," &c.

Now, would any hon. member say, after hearing that the case of St. Domingo had been thus referred to as an example, that the colonists of Jamaica, Barbadoes, and of every other settlement, had not good and sufficient reason to be alarmed? And could his hon. and learned friend (Mr. Brougham) in candour state, that the colonists were not justified in evincing some degree of reluctance in giving their consent to the measures which had been proposed, and which they considered as emanating from the Anti-slavery society?

The abolition of the state of slavery would be found, by referring to the history of every nation, to have been an improvement that had attained its growth gradually and slowly. Perhaps it was not generally known, but it was a most important fact (to which he anxiously begged the kind attention of the House), that until the year 1775, personal slavery was not completely abolished in the mother country, for in that year slavery was still in existence in Scotland, to a certain extent. The act of the 15th Geo. 3rd. cap. 28, was then passed, which was entitled, "an act for altering and amending several acts of parliament of Scotland, respecting colliers, coal-burners, and salters." The recital of this act was in part—"Whereas by the statute law of Scotland, as explained by the judges of the courts of law there, many colliers, and coal-burners, and salters, are in a state of slavery or bondage, bound to the collieries and salt-works, where they work for life, transferable with the collieries and salt-works, when their original masters have no further use for them." In fact until this legislative measure was enacted, many of those labourers who worked in coal-mines and salt-works in Scotland were absolutely bound to the soil.

If, then, it was only in the year 1775, that personal slavery, existing if even to a limited degree, was completely abolished in the mother country, was it too much to ask for less haste and precipitation, and at least for some further portion of time during which amelioration, leading to such extensive alterations in the existing state of things as were contemplated by his hon. and learned friends, might be introduced on the other side of the Atlantic? However anomalous the state of absolute slavery might be considered in the year 1826 in England, still it should never be forgotten, that such a state had been originally created in the West-Indian colonies, and had, till a very recent period, been encouraged and cherished by and under the positive and solemn influence and protection of British law. Local institutions, and the whole frame of society had been originated and supported in our transatlantic possessions with reference to this condition of things. Could it then be a matter of reproach, or even of surprise, in the mind of any candid and reflecting person, that the opinions or even prejudices of those who inhabited the West-Indian colonies, should not experience that decisive and rapid alteration which alone could satisfy the ultra-enthusiastic wishes of those who declaimed so loudly against the colonists? Far be it from him to taunt his hon. and learned friend for any change which his sentiments might have undergone on these important questions, he would only ask of him a share of tender and considerate allowance for those who maintained opinions which, to some extent, had been fortified by the reasoning of his hon. friend.

The legislative bodies of the different West-Indian islands, and more particularly the House of Assembly of Jamaica, had been severely attacked for displaying what was termed a marked hostility and resistance to the resolutions which had emanated from the mother country; and, in fact, it had been asserted, that no measures for the amelioration of the condition of the negroes had been enacted in the Jamaica House of Assembly. With respect to the question of the admission of slave-evidence, he (Mr. Bernal) would openly express his regret that the bill had been rejected in the Assembly of Jamaica, which had been introduced for affecting this alteration in the laws of that island. In his humble opinion, formed at a distance, this measure was one which, under proper provisions, might be framed and carried into effect with every possible security and advantage. But, although the bill for the admission of slave-evidence had not been adopted by the legislature of Jamaica, still he earnestly solicited the attention of the House of Commons to the important difference of facts, and alteration of sentiments, which existed between the periods of its first and subsequent introduction. When, in the year 1823, the measure was first agitated in the Assembly of Jamaica, it was supported by the mover alone. Upon its second introduction, in the year 1825, a considerable and important debate ensued, and which was protracted for the space of two days. Speeches had been delivered in the course of such discussion, both for and against the measure, which were marked by very considerable talent and eloquence; even his hon. and learned friend, the member for Winchelsea, had expressed his own favourable opinion of the ability and eloquence with which the debates had been conducted. It was true, that the bill was finally thrown out of the House of Assembly, by a decided majority, the numbers being 24 to 13, still a considerable progress must be allowed to have been made, if, in the year 1825, thirteen members voted for the measure, when, at the period of only two years before, it met with the support of one single member.

Much mischief had undoubtedly been occasioned by the violent tone of argument, or rather of declamation, which had unfortunately been adopted in some quarters at home. The residents in the colonies, and very probably their representatives in the legislative bodies, were not merely naturally irritated by intemperance of language and repetition of severe accusation, they became alarmed when they heard that their right of property was denied, or evasively passed over in the discussions which took place on some of the different anti-slavery meetings in Great Britain; and the belief that the title of the colonists to their property was to be questioned by the nation at large, and compensation withheld, had spread widely.

He (Mr. Bernal) contended, that, in commenting upon the conduct of the colonial legislatures, it was not fair, on the part of those who thus commented, to confine their attention solely to what had been done since 1823: the more just and candid course would be, to extend their observation and inquiry over the space of the last twenty years, and to embrace in their consideration the many and important measures which had been during that period voluntarily originated and promoted by the colonial legislatures, or by the common consent of the proprietors, for the improvement and amelioration of the condition of the slave-population; and be it ever remembered, that such measures were so spontaneously adopted, without the resolutions or recommendations of a British House of Commons, or of the executive government of England. And to speak more particularly of the island of Jamaica, with which he was connected—it must be remarked,—That formerly punishments were unlimited. Now they were limited by law to thirty-nine lashes.

Twenty years back, but few negroes were baptized in Jamaica. Now a very considerable part of the slave-population have received the right of baptism. Twenty years ago, the different churches and places of worship were scarcely resorted to by the slaves. But now, not merely had the number of the various places of worship been materially increased, but they were attended by great numbers of the negro-population. Some years back, the marriage rite was almost unknown. Now the marriage ceremony had been resorted to in several instances. Formerly, the sugar-mills on estates were worked on Sundays. Now overseers are punishable by law in the case of working sugar-mills on Sundays. Formerly, the negro-grounds were cultivated on the Sunday. Now twenty-six clear working days are by law required to be allowed to the slaves for such purpose; and those slaves, who of their own free-will, work in their grounds on the Sunday, are induced by the desire of making money, in preference to devoting that day to any other occupation. Formerly, manumissions of slaves were subjected to pecuniary duties. Now these are removed, and a manumission can be completed without any difficulty.

At one time, slaves had unfortunately but insufficient protection afforded to them by the law against cruel or improper treatment. Now the magistrates are formed into an efficient council of protection to investigate the complaints of the slaves; and instances are not wanting where, in cases of cruel treatment on the part of their owners, convictions having taken place, and proper sentences having been awarded, the negroes have been freed by the law, and provided with an annuity for life. And it should never be forgotten, that the number of executions on capital convictions, as to the negro-population in the island of Jamaica, had very considerably diminished. However, he (Mr. Bernal) though he could expatiate here at some length, would not weary the patience of the House by pursuing this branch of the subject further in detail: the measures and alterations to which he had been in part referring had occurred prior to the year 1823; but since that period other important improvements might be reasonably alluded to. An act had passed the Assembly of Jamaica to prevent levies on slaves on the Saturday. The most unjust aspersions had been insinuated in this country against the motives of those who promoted this last measure; it had been alleged, that it was one which had been intended to benefit the master, and not the slave. Now he (Mr. Bernal) would firmly assert, that the object of this law was to render the Sabbath as much as possible a day of rest, another day being given on which the slaves might be allowed by their owners to go abroad, without any fear of their being taken or levied upon for debt, they being protected against any process of law on the Saturday. An act had also lately passed the legislature of Jamaica to enable slaves to receive bequests of money, or other personal estate, thereby confirming by the solemn sanction of law what the general custom and uniform feeling of the island of Jamaica had before warranted and respected. An act had likewise been introduced in the House of Assembly for removing impediments to the manumission of slaves, when their owners had only a limited interest, as an estate for life, or in similar cases.

A great degree of ignorance prevailed in this country, as to the actual condition of the negro-population. It was a well-ascertained fact, that in the island of Jamaica, there were upon many estates several slaves who, over and above their little articles of furniture and implements attached to their houses and gardens, possessed, in addition to their stock of pigs and poultry, considerable sums of money in hard cash, with reference to their condition of life, in many cases to an amount varying from ten to eighty or ninety pounds; and some slaves were to be found in Jamaica, who, by a kind of subinfeudation, though in repugnance to the laws, and by custom or tacit consent, were themselves the proprietors of slaves. He (Mr. Bernal) had even been informed, that a practice had lately been introduced, or attempted to be introduced, in Jamaica, to permit a slave to file a bill of discovery in the court of Chancery, by the registrar of the court, as his prochain ami. Surely it must then be conceded, that public feeling had not been torpid in the island of Jamaica. Great alterations and improvements had been advancing in that colony: though the progress of amelioration had been silent and unostentatious, it had been certain and beneficial. As to the condition of the negro-population, with respect to the attention generally paid to their support, sustenance, and comfort, in health and sickness, youth and age, he trusted no serious complaint would now be expressed. A great point had been gained in the temper and spirit with which all questions had been received and treated by the colonial assemblies. They were no longer neglected—they were at all events, seriously and earnestly deliberated upon. It excited his astonishment to hear any attempt made to level a charge against the colonists, on the ground of their hostility to the religious instruction of the negroes. He would ask, had not the bishops who had lately been appointed to Jamaica and Barbadoes experienced the most respectful, gratifying, and sincere reception and encouragement in their important missions? The colonial legislatures had been most willing and desirous to promote every measure calculated to assist the ecclesiastical body in the furtherance and discharge of their sacred functions. It was well known that the Wesleyan missionaries, and other ministers of the Gospel, had been kindly and favourably received in Jamaica and Antigua; and, for the truth of this statement, or, for correction (if in error), he would appeal to his hon. friend, the member for Dover (Mr. Butterworth). The establishment of an ecclesiastical body in Jamaica and Barbadoes must, in time, secure respect and good feeling towards ministers of the Gospel of every denomination, who would unite with the dignity and sacred duty of their high calling that prudent discretion with reference to the anomalous condition of society in the colonies, which could be strictly warranted without a deviation from the singleness of mind becoming a Christian minister, or from the holy tenets of Christianity itself. He for one would frankly confess, that, though he believed great and important improvements had taken place throughout the colonies, still he trusted that every possible amelioration, consistent with the interest and happiness of all classes, might be continually encouraged; and he was persuaded that none would be efficient without the general dissemination of simple yet sound religious instruction amongst the negroes. Where the pure and beneficent truths of the Christian religion could be carefully planted and nurtured, amelioration and improvement might be expected to grow to maturity under its healthful shade and protection. These sentiments he claimed not as peculiar to himself, or to other members of the House of Commons who were connected with the colonies; but he trusted he might assert them as common to the body of West-Indian proprietors at large. It was unjust to represent the colonists as the intolerant enemies of religious instruction. But he was sorry to be obliged to complain of the conduct which had been pursued by some ill-judging persons upon West-Indian questions. He knew his honourable friends who followed their particular line of action in the House of Commons to be men guided by honest and praiseworthy motives, and by sentiments of philanthropy and kindness, though he might be allowed to observe, that sometimes they suffered their judgments to be somewhat overpowered by the full tide of their enthusiasm. Many members of the Anti-Slavery Society out of the House (he was persuaded) pursued their course in the utmost sincerity of purpose; but some proceedings had been adopted by individuals which were calculated to rouse the most angry and indignant feelings. Pamphlets had been circulated, holding up the West-Indian body to the obloquy of the public in the most determined and unkind manner, and blending old and almost forgotten charges with new topics of crimination. Some members of parliament had been placarded in different parts of England, on account of the votes they had thought proper to give on occasions when West-Indian subjects had been discussed. The electors of Great Britain had been addressed in no very moderate or subdued language, and called upon not to return to the new parliament, at the ensuing election, any member belonging to the West-Indian body, or at least any candidate who would not distinctly pledge himself to support the abolition of slavery. This line of conduct was not in his opinion fair and just, and certainly it could not be politic with reference to the objects themselves, which the advocates of amelioration professed to have in view. However, he trusted his West-Indian friends would with manliness and dignity disregard every circumstance tending to irritation, and consider every question bearing upon their unfortunate position and situation with moderation and temper.

Something had been thrown out in the course of this debate by way of remark upon what had been uttered in another place (the House of Lords) by a distinguished legal character (the chancellor) on this question. He (Mr. B.) conceived that venerable personage to have expressed his honest sentiments openly upon the rights of the colonists. The question of property in his (Mr. Bernal's) opinion should never be lost sight of in these discussions. It was unnecessary for him to inquire into the original nature and mode of acquisition of West-Indian property. Whether it might be considered as the fruit of spoliation, though it might be contaminated with the blot and sin of slavery, however the current of popular feeling in this country might have been diverted into a new direction, still it had been long recognised and sanctioned by Great Britain, and it was as much entitled to the strong, determined, and undisguised, protection of parliament, as any other species of property; and the government of this country were solemnly and indissolubly bound to deal most fairly and honourably with the present proprietors. It was the duty of the British parliament to act without evasion, and with justice to the proprietors, at the same time that they were endeavouring to distribute humanity to the slave-population, to appease the lively and not unreasonable fears of the former, while they sought to hold out hopes, or to ameliorate the condition of the latter. It was very easy for those who were not possessed of any property vested in the colonies, or who had not families or relatives to support out of such resources, to deal out abstract propositions, vitally affecting West-Indian interests, and many other interests created by the complicated arrangements of society, and to divest their own minds of all fears as to the result of any measures to be proposed; but it was not so easy for those whose very existence, as well as that of their wives, children, and dearest connections, absolutely depended upon the preservation of that property, to deliberate with the same imperturbable calmness as those not personally interested appeared to do, upon every new and untried scheme of amelioration, and to discard every mental apprehension as to the result of peremptory measures of interference. In expressing this, he did not pretend to defend every erroneous or blameable transaction which might have occurred in the colonies; and God forbid that he should be for one moment suspected of being hostile to the real improvement of the condition of the slaves. He would scorn to make any appeal to the passions of honourable members: he would not descend to any such artifice; he would only presume to address himself to the uniform and strict sense of justice of a British parliament—that justice which it was its bounden and sacred duty, as it was the most solid foundation of its own greatness and dignity, to distribute fairly through every portion of the empire, and to every class of his majesty's subjects.

Mr. *C. R. Ellis* stated, that, having concurred in the unanimous vote by which the task of carrying into effect the resolutions passed by the House in 1823, was imposed upon his majesty's government; and not seeing any thing in the course pursued by them which was calculated in any degree to impair the confidence then reposed in them by the House; nor having heard from them any intimation of a wish to call for the intervention of parliament to aid them in the performance of that duty, he could not but consider the present motion as of the same character with those measures which, while their professed object was to strengthen the hands of government, were, in point of fact, as had been stated by his right hon. friend the Secretary of State for Foreign Affairs, calculated only to embarrass the government in the execution of the already sufficiently difficult task which had been devolved upon them;—and, upon these general grounds, without going into any of the details of the question, he should have felt justified in refusing his assent to the motion of the hon. and learned gentleman. But as that hon. and learned gentleman had thought fit to comment at great length and with much severity upon the conduct of the colonial legislatures, though he (Mr. Ellis) would not at that late hour follow him into those details, nor tempt him to execute his threat of bringing forward that reserve of further details which he held in terrorem over the House, he trusted that the House, considering his connexion with the colonies, and the part which he had taken upon this question, would afford him their indulgence in offering some few observations upon the proceedings of those legislatures.

He did not, however, stand forward as the indiscriminating champion of the colonial legislatures. He was one of those whom the legislature of the colony with which he was immediately connected had described as having "undertaken to give advice upon a subject which they did not understand," and whose conduct in so doing they "lamented as an interference which had led to erroneous imputations with respect to the motives of their proceedings." However, he regretted that such should have been felt by them to have been either the character or the effect of the course which, in common with some of the most respectable and best-informed of the West-India planters in this country, he had felt it his duty to pursue, he could not, in deference to that authority, disavow any suggestions which he had offered to his majesty's government, with a view to the improvement of the condition of the negroes, or retract any expression of approbation which he had uttered in that House, with respect to the measures which had been recommended for adoption in the colonies, as far as he had found it in his power to approve of them. As little was he disposed to conceal the regret—the sincere and deep regret—which he felt at the reception which those recommendations had met with from the colonial legislatures. But, on the other hand, he should consider it most unworthy conduct on his part, if he were to allow any feeling of resentment at the disparaging terms in which the Assembly of Jamaica had thought fit to express themselves, with respect to the course pursued by the West-India proprietors in England, to prevent him from contradicting any imputations upon the conduct of that Assembly, which he conscientiously believed not to have been merited; or from justifying any of their proceedings which appeared to him to have been misunderstood or misrepresented.

He conceived their conduct to have been both misunderstood and misrepresented; and therefore, however reluctant to trespass upon the patience of the House, he felt it his duty to call their attention to some of the most important of the proceedings of that Assembly.

The point to which he was anxious first and most particularly to call the attention of the House, was the conduct of the colonial legislatures and the inhabitants of the colonies with respect to the religious instruction of the negroes. He was anxious to call the attention of the House to this point, not only because it was that on which the colonies had been more than on any other misrepresented, but because it was that with respect to which their conduct and disposition were most important; because the religious instruction of the negroes was the best foundation for all improvement in their moral condition; because it was the only safe preparation for the exercise of those civil rights which it was the wish of the House and of the country ultimately to confer upon them. Now, upon this point, what had been the conduct of the colonial legislatures? The government had undertaken the reform of the church establishment in the colonies, and had sent out Bishops to superintend that reform. But in order effectually to exercise that superintendence, it was necessary that they should receive authority from the colonial legislatures. Did the colonial legislatures shew any reluctance in granting them that authority? On the contrary, immediately on their arrival bills were passed, of which it might be enough to say, that they gave to the bishops all the powers which they themselves required. But as these bills had been treated with somewhat of contempt by the hon. and learned gentleman, as measures altogether nugatory and inefficient for any good purpose, he would take the liberty of reading to the House the heads of some of the clauses of the bill passed by the Assembly of Jamaica.

By clause 2, the ecclesiastical laws of Great Britain are extended to the island. By clause 15, the rectors are directed to appropriate a certain portion of time of each Sunday for baptising and instructing free persons and slaves. By clause 16, the Receiver-general is directed not to pay their stipend without a certificate from the bishop that they had performed the duties stated in the preceding clause. By clause 17, a forfeiture of 200*l.* is imposed on the rector being absent for more than three months without license. By clause 19, the rectors are directed to visit estates, plantations, workhouses, hospitals, and gaols, to afford instruction to the slaves, with consent of owner. By clause 21, it is enacted that no fees are to be taken from slaves. By clause 22, vestries are empowered to lay taxes for the erection and purchase of chapels, burial grounds, and parsonage houses, and keeping them in repair. By clause 30, the bishop is empowered to appoint substitutes for incompetent rectors. By clause 32, it is enacted, that the curates appointed by the governor to propagate the gospel among the slaves, and to instruct them in the Christian religion, shall receive 500*l.* per annum, on showing certificate from the bishop for the performance of these duties. By clause 33, the duties of the curates are defined: viz. to reside in the parish; to perform divine service on Sunday, and to attend once a week to give instruction in catechism to all persons, free or slaves, without fee or reward. By clause 35, it is directed that marriages are to be encouraged among slaves, the curates to perform the ceremony, banns being duly published, and the consent of the owners obtained. By clause 37, the vestries are empowered to levy 600*l.* to assist in building chapels in other parishes. By clause 41, it is directed that a separate register of baptisms, marriages, and burials of slaves be kept by the curates.

Notwithstanding the construction which the hon. and learned gentleman had thought fit to put upon the letter of the bishop of Jamaica, he (Mr. Ellis) considered it as affording the most conclusive and satisfactory testimony of the disposition of the inhabitants to promote the religious instruction of the slaves. He must take the liberty of again reading to the House the passage in that letter referred to by the hon. and learned gentleman. "The general result of our observations" (viz. the bishop's and Mr. Archdeacon Pope's, in their progress through the parishes) "has been a hearty desire on the part of proprietors generally, or their representatives, cheerfully to promote, as far as their limited means will allow, any measures which I have thought it my duty to suggest for the benefit of the church. Public meetings have been called in many parishes, and private subscriptions are entered into to promote the same desirable object."

The hon. and learned gentleman had been pleased to put upon the expression "for the benefit of the church," the very limited, and as it appeared to him, forced construction for the benefit of the church establishment, namely, of the clergy themselves. Now, if the hon. and learned gentleman would have gone on and read the sentence which almost immediately follows, in which the bishop says, "I have ample employment here for catechists, whenever young men, properly qualified, shall be sent to me; and they might exercise their ministry with great advantage in the way before alluded to, during their state of probation for holy orders"—it would have been evident to the House that the construction of the hon. and learned gentleman could not have been the true meaning of the bishop, for in what way would he have employment for catechists, except in the religious instruction of the negroes?

But what is the report of the bishop of Barbadoes? In his despatch to lord Bathurst of October 7, he says: "I have the honour to inform your lordship, that, in visiting the several islands within my diocese, I was received throughout with every mark of public and private respect, accompanied with the assurance on the part of the respective legislatures and proprietors of their readiness to co-operate with me, to the utmost extent of their means, in the measures which I had the honour to propose."

But further, in confirmation of this testimony, there is a report lately published by the society for the conversion and religious instruction of the slaves in the West-India colonies, of which the bishop of London is president. After giving extracts from the correspondence of their chaplains in the West Indies, all of which bear most satisfactory testimony to the encouragement which they have received from the inhabitants, it is stated, that "the Society has been informed that there are seventeen places of worship now building in the diocese of Jamaica, at the expense of the inhabitants." He (Mr. Ellis) would appeal, then, to the candour of the House with what sort of justice could it be said of the legislature which had passed the bill of which he had just read some of the clauses to the House, as had been said by the hon. and learned gentleman, that they had done nothing, literally nothing, for the religious instruction of the slaves? With what sort of candour could the inhabitants of the colonies, in the face of the respectable testimony which he had quoted, be represented as they had been represented, and by no mean authority (Mr. Stephen), with "impiously shutting out the light of the gospel from the slaves," and "keeping in a cruel thraldom the minds as well as the bodies of their unfortunate victims;"* and this reproach be made one of the main grounds of an appeal to the electors throughout this country, urging them to refuse their suffrages to any person in any degree connected with the West-India Colonies, with the view of a fair consideration of this question in the ensuing parliament? He (Mr. Ellis) conceived, on the contrary, that the respectable testimony which he had quoted would leave no doubt in the minds of all candid and impartial persons, of the honest and sincere disposition of the colonies to do all that could be expected from them, in co-operation with the government, on this most important point. And he would appeal to his hon. friend, the under-secretary for the colonial department, whether they had not, in point of fact, done all that the government had either required or expected?

The next measure, to which he was anxious to call the attention of the House, was one which had been much misunderstood and misrepresented, and which was also connected with a point on which the hon. and learned gentleman had laid much stress, viz. the bill for facilitating the manumission of slaves. By this bill, the securities formerly required are dispensed with, and persons having only a limited interest in their slaves, are enabled to manumit them by a summary process, as easily and effectually as if they possessed the property in fee.

The dispensing with the securities was not a matter of any great importance; they had never operated as an impediment; but the motive for requiring them had been misrepresented; and those gentlemen, at least, who had formerly made them a matter of reproach, ought not now to treat the abandonment of them as trivial and unimportant.

But the extension of the power of manumission to persons having only a limited interest, was a measure of far more importance. What might be the proportion which that class bears to those who possess an absolute property in their slaves, it might be difficult to state with precision; but, considering the great distress under which the West-India planters had long laboured, and the pecuniary obligations to which their properties must consequently have been subjected, in addition to all the usual reversionary claims created by family arrangements, there could be no doubt but that this class must bear a very much higher proportion to those who possess their property unincumbered and in fee, in Jamaica, than is the case in England; and there probably would be no exaggeration in stating them to constitute at least two-thirds of the proprietors of slaves.

Now all this class have, by this act, for the first time, been entitled to exercise the power of manumission; and when it is further considered, that even whilst that power was limited to persons having an absolute property in their slaves, the number of manumissions, as appears by the census of 1823, amounted to no less than to 4,000 in the three preceding years; and that since 1787, the number of free persons of colour has increased from 10,000 to 35,000, being now more than the amount of the whole white population of the island, it surely would not be unreasonable to assert, that, in consequence of the facilities afforded by this act, the progress of enfranchisement, by voluntary manumissions alone, would have become very considerable and very satisfactory. But this act also had been treated by the hon. and learned gentleman as altogether nugatory, because it does not give to the slave the power of compelling his master to manumit him.

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* England enslaved by her own Slave Colonies, p. 89.

If, ten years ago, any West-Indian had asserted, that the abolitionists had in view any measures for compelling the owners of slaves to manumit them, they would have been treated as foul calumniators; and, in point of fact, in a report of the African institution, published in 1815, such an assertion had been referred to for the purpose of being indignantly repelled, and the views of the abolitionists were thus explicitly and distinctly stated:

"They did not aim at an emancipation to be effected by insurrection in the West Indies, or to be ordained precipitately by positive law; but they never denied, and scrupled not to avow, that they did look forward to a future extinction of slavery in the colonies, to be accomplished by the same happy means which formerly put an end to it in England, namely, by a benign though insensible revolution in opinions and manners, by the encouragement of particular manumissions, and progressive melioration of the condition of the slaves, till it should slide insensibly into general freedom. They looked, in short, to an emancipation of which not the slaves but the masters should be the willing instruments."

It would be difficult to select words more clear and precise than are here used to lay down the principle, that the manumission of the slaves in our colonies ought to be the voluntary act of their masters. Now, if the author of that report, or those who constituted him their organ, had been then asked, what ought to be the first practical step for carrying into effect the principle thus laid down, what must have been their answer? We have their answer in the same report: "If it should be asked what cause in England most powerfully contributed to the dissolution of the degrading bondage of our ancestors, the answer clearly must be, the extreme favour shown to individual enfranchisement by the judges and laws." Let them, then, now say, whether the Assembly of Jamaica have not shewn favour to individual enfranchisements to the full extent of the principle laid down in their own report.

It was not known at what time, or on what grounds, the gentlemen who professed, in 1815, the views and principles contained in that report, had seen reason to abandon them. The first intimation of their having done so was not later than three years ago, when the hon. member for Weymouth proposed, that all children born after a certain period should be declared free.

Was it not, then, somewhat hard, and had not the West Indians some right to complain, that those same gentlemen should make it a matter of such severe reproach to the colonies, that they had acted upon principles which they themselves had so lately professed; that they should find such fault with a measure framed upon the very model which they themselves had held up for imitation, and which had even gone beyond that model by extending the power of manumission to persons having only a limited interest in their slaves,—a power which, with all "the extreme favour shewn by the judges and the laws," had never been given to the owners of slaves in England?

Without at present expressing any opinion how far the change which had taken place in the views of these gentlemen might or might not be justified, he (Mr. Ellis) could not but regret it. But still more did he regret the adoption by the government of the principle of compulsory manumission (as it had been termed) in their order in council. He thought that measure unsound in its principle, and likely to prove mischievous in its operations. And, as so much stress had been laid upon that measure by the hon. and learned gentleman, he must beg leave shortly to state his reason for that opinion.

The slave who might be desirous of purchasing his freedom, so long as he looked up to his master as possessing the power to grant or to withhold his manumission, would feel it his interest to conciliate the good will of his master by his own good conduct. But, from the moment when he is invested with the power of compelling his master to manumit him, that motive is removed; and, as the period may approach when he will be enabled to exercise that privilege, his regard for the good will of his master, or even for his authority, will, to say the least, be very much and very inconveniently impaired. He cannot fail to be aware also, that his price will be estimated in proportion to his value to his master; that in proportion as he is industrious and well-behaved, the sum which he will have to pay for his freedom will be enhanced. In a word, he will feel that it is his interest to render himself as worthless to his master as he can contrive to be with impunity.

On the other hand, if the master should apprehend any inconvenience from the loss of his slave, or for any motive be reluctant to manumit him (and otherwise the regulation giving the compulsory power is superfluous), he will feel it to be his interest always to prevent his slave from acquiring the means of purchasing his freedom—to keep him always poor; and he will be tempted to deprive him of many of those indulgences which the slaves now enjoy, and which the law cannot compel the master to grant. In a word, it would be difficult to devise a regulation more calculated to aggravate instead of mitigating the evils inherent in the relationship of master and slave; as to implant, in the breast of each, motives more at variance with that reciprocal good will which is essential to the improvement in the condition of the slaves which it is the object of the House to promote. For these reasons, for the sake of the slaves themselves, he lamented the determination of the government to enforce this regulation.

Being unwilling to weary the House, by going into any details which were not absolutely necessary, he would advert only to one other topic; but one which was of so much importance in itself, and had been so much dwelt upon by the hon. and learned gentleman, that he could not altogether pass it over—the state of the law with respect to the evidence of slaves. He lamented, as much as the hon. and learned gentleman, the rejection of the Slave-Evidence bill. He reprobated as strongly as that hon. and learned gentleman that monstrous incongruity in the law, which would take away the life of a slave on the evidence of a slave not given upon oath, but would reject the evidence of a slave upon oath, and, with whatever security for his sense of its obligation on his veracity, against a white man, in the case even of a common misdemeanor. Such a state of law could not be too speedily reformed.

What measures might be adopted by the Assembly for that purpose in the next session, he undoubtedly would not venture to anticipate, still less to offer any pledge. But, considering the progress which had been made in the feeling of the assembly since the previous session, when the bill then brought in was not even discussed, and knowing that the members who voted for the bill in the last session, though a minority in number, were persons of very great weight from their respectability, he could not but entertain a sanguine hope that their influence might produce a considerable change in the public opinion before the next session.

He further thought that some allowance was to be made for the peculiar moment at which the bill had been introduced—the session immediately preceding an expected dissolution; and that the House ought not to put out of their consideration the effect which might not unnaturally be produced by a violent popular clamour out of doors, on an assembly constituted like the assembly of Jamaica, which, with the exception of the representatives of the capital, was composed entirely of county members, on the eve of being sent back to their constituents and to popular elections.

But there was also another reason to hope, that not only this measure, but the other regulations which would be again submitted to the assemblies, in their next session, might be considered by them in a very different temper from that in which they had been hitherto treated. He meant in consequence of the declaration made, in a late debate, in that House, by his right hon. friend the Secretary of State for Foreign Affairs;—that the orders in council in Trinidad contained the whole plan of the government; that, after having obtained the adoption of those measures, it was their determination to pause—to pause till they should give full time for those measures to work—till the experiment should have been thus far fairly tried.

He trusted that this precise definition of the views of the government (and if he stated it incorrectly his right hon. friend would set him right), and the conviction which the colonial legislatures might consequently entertain, that, by the adoption of those recommendations, they might ensure to themselves the protection of the government against all attempts to force upon them any other more objectionable and dangerous measures, might induce them to overlook the inconveniences which they apprehended from the regulations proposed by the government, and, for the sake of that protection, to adopt them. He anxiously hoped that such might be the result of his right hon. friend's declaration, not merely as a West Indian, and with the view of setting at rest this painful and mischievous controversy, but with a sincere anxiety for the accomplishment of the object which the House and the country had in view.

He was not one of those who would uphold the power of resistance of the colonies. He fully admitted the irresistible power of this country—her power to crush her colonies, if she chose to make the sacrifice of her own interests, which would be involved in their ruin. They had no power of resistance by force; but they had a power which might defeat the object of this country—the power of inertness—the power of doing nothing but what they might be compelled to do by force. And if they should be driven to exercise that power sullenly and determinedly, this country, with all her omnipotence, might find herself much embarrassed in the execution of the measures which she might wish to carry into effect.

This was not his opinion, but that of far higher authority—the opinion of some of the most distinguished statesmen who had sat in either House of parliament; and among them of one whom he selected as a person to whom, perhaps more than to any other, the hon. and learned gentleman himself in his youth looked up with veneration, and whom even now, in the maturity of his own talents and reputation, he must remember with respect—Mr. Fox. Whatever might be the respect with which that hon. and learned gentleman regarded the opinions of Mr. Fox on any great political question, he could not but admit that there was none on which it was entitled to more weight than this. For it was Mr. Fox who, wielding the power of an administration which, during its short existence, constituted one of the strongest governments that this country had ever seen, at one blow abolished the Slave-trade, which not all the eloquence of Mr. Wilberforce, aided by the eloquence and the power of Mr. Pitt, during nearly twenty years of repeated appeals to the feelings of parliament and the country, had been able to accomplish; and yet, at the very moment when he was about to strike the blow, in the full consciousness of the power which he possessed, and endowed with an energy of character which was not likely to make him shrink from the exercise of that power, Mr. Fox, speaking of the enfranchisement of the slaves, thus expresses himself: "The idea of an act of parliament to emancipate the slaves in the West Indies, without the consent and concurrent feelings of all parties concerned, both in this country and in that, would not only be mischievous in its consequences, but totally extravagant in its conception, as well as impracticable in its execution; and therefore I see no good in discussing that point."

Mr. *Butterworth* spoke for some time; but the cries of "question," and the loud coughing which prevailed, prevented our hearing more than that the hon. member was of opinion that, although all persons must rejoice that a church establishment had been sent out to the West-Indies, it would prove of no use, unless missionary exertions were also encouraged.

Mr. *Denman* rose amidst loud calls for a divison. He began by saying, that if it was the wish of the House that the debate should there stop, he would instantly sit down, but he hoped, nay, he entreated, that at the close of the labours of the session, when perhaps those hon. gentlemen whom he saw around him, would meet together for the last time for business this parliament—they would not separate, leaving this most important question unfinished; or suffer it to be disposed otherwise than as having received the seal of the most solemn and impartial investigation. It was to him no small satisfaction that so patient and attentive a hearing had been already given to the two gentlemen most closely connected with the colonies, and that they had been uninterrupted in the tenour of those arguments which their honour and their interests prompted them to advance as reasons why this resolution should not be adopted. The impress of impartiality, moderation and temper, which the debate would receive from that very circumstance, would, he was sure, have the best effects out of doors, as it would prove that all sides had had a hearing, and that whatever result the House came to, it was after a careful and patient investigation of all the bearings of the question. At that late hour of the night it was not his intention to follow the hon. gentlemen, those possessors of so much property in the West-Indies, who opposed this measure, very much into the details of their arguments. In two or three points, however, they seemed to have laid themselves open so much to observation, that he could not help adverting to them. If he understood the hon. member who spoke last, rightly, the main answer which he gave to the case made out for the slaves, consisted in an allusion to the enlarged facilities which the colonists of Jamaica afforded towards the manumission of their slaves. But, how old were these facilities? Did not the hon. member himself admit, that such facilities did not exist ten years ago, and, in fact that very circumstance proved the good which had been done by discussing the question. It was stated by the hon. member for Rochester, that in 1804, when a motion was made for a bill to admit slave-evidence, only one member of the House of Assembly, besides the introducer of the bill, was found to give it his support. But, what was the case now? Why, that in 1825, when the same measure was introduced, the House divided equally upon it; and, although numerically the measure was lost, yet that it received the support of all the talent in that Assembly. This showed how far the progress of emancipation might be stimulated by wise and vigorous measures. True it was, that this parliament had adopted the principle of not immediately following up the abolition of the Slave-trade by the emancipation of the slaves in the colonies; but when was the time to arrive that an end was to be put to the sufferings of our fellow creatures? Was it to be the work of ages; or were we to awaken them from the sleep of villanage to the dream of liberty, by the same slow steps, and by the same lengthy process, as was here displayed between the reigns of our Alfred and our James? Undoubtedly the most effectual emancipation was that which was brought about by moral agency, by that gradual spread of knowledge which raised all men to the level of rational beings, and prepared the mind of the slave for those enjoyments to which reasonable creatures have a claim. But surely it was not inconsistent with these means, that their progress should be stimulated. The hon. member had referred to the sentiments of the House of Commons in 1807, to the effect that they disclaimed violent measures, choosing rather that the masters themselves should be the willing instruments of conveying freedom to the slaves. True it was, that the House had expressed and recorded such a sentiment. But, when was that? Was it not twenty years ago? Had the human mind stood still all that time, or rather had not liberal ideas and enlightened views made progress in a tenfold proportion in that very period, as compared with any other period which had preceded. Mr. Fox himself, twenty years ago, was of opinion that the time was not yet come for the emancipation of slaves. During these twenty years, however, what changes had taken place amongst the colonists themselves. Let the House look to the altered sentiments of the House of Assembly in Jamaica, in the years 1804 and 1825. In the debates in 1807, the strongest hopes were expressed that the masters would co-operate in those measures for the emancipation of the slaves, which the legislature, in some degree, intrusted to their hands. Had the masters done so? Let that question be answered. He asserted that they had not: and if they had not—if the hopes of parliament had been baffled—if, instead of the masters co-operating towards such a result, they had unceasingly and obstinately opposed it, was it not time for that House to inquire whether the hands of government ought not to be strengthened, so that the masters might be compelled to conform to the express wish of the legislature? Take the change which was admitted to have taken place in the sentiments of the colonists. Would it be said that the resolutions of that House, from time to time, had had no effect in working this change? Where, then, was the doubt—where the difficulty? Was it denied that the condition of a slave was inconsistent with his being a subject of this free country, where liberty is the birth-right of every one of her children? Ask all the great men who had ever written or thought upon the subject. Ask those great luminaries in this and in other countries, to whose opinions more than ordinary attention was due. Mr. Sheridan, in a speech delivered in 1807, when a bill was brought in by a noble lord, the present duke of Northumberland, the express object of which was emancipation, said, that the subjects of the slave-trade and slavery could not be separated. "Could man," he asked, "be the property of man? He trusted that the planters would lead the way to emancipation; but he called upon the House not to indulge a sanguine hope of this." Twenty years had elapsed since that bill was rejected, and all the children since born, which by that bill would have been emancipated, have been born in slavery. It had been said in that House, and it had been inserted elsewhere, that even Mr. Wilberforce had been opposed to the principle of emancipation; but in the debate on that bill, Mr. Wilberforce denied that he was an enemy to emancipation. He would mention one more authority, Mr. Ward, now lord Dudley; who, on the 6th of March 1807, in a debate on the slave-trade, declared, that if he did not think that the abolition of that trade tended to the abolition of slavery, he should consider it as a disgraceful compromise with the planters. Even the resolutions of the House, in 1823, expressly recognized the claim of the slave to a participation of the civil rights enjoyed by other subjects. With respect to the church establishment in the West Indies, he could not help thinking that it was taken hold of by the colonists, and employed as an argument against further concession. When all was calm in the colonies, there existed the same repugnance to entertain the proposition as before, and the same pretended fear of danger. Then let the House look at the several cases of Mr. Smith and Mr. Shrewsbury, the slave trials laid on the table of the House, and the cruelties at Berbice. The hon. and learned gentleman concluded by calling upon the House to mark that there were no arguments used in opposition to the present motion, which would not have been just as cogent, if applied to the original measure of the abolition of the slave-trade. He adverted to the establishment of episcopacy in some of the colonies, and argued from that step the best results to morality. He, however, censured an expression in the address of the House of Assembly at Jamaica, in which they stated their satisfaction that the king had appointed bishops for "the good of the lower orders." This would seem as if they thought religion was only wanted by the lower orders, and that the masters hailed its assistance as adding another obligation to the fidelity and zeal of the slaves in their service. He then proceeded to comment upon the declaration of independence published by the people of Hayti, in which the rights of the slaves were openly recognized, but was prevented by the impatience of the House from proceeding further.

Mr. Secretary *Canning* rose and addressed the House to the following effect:—

The hon. and learned gentleman who spoke last, Sir, has brought the question which is now before the House, precisely to that point at which I am desirous of meeting it. The practical point to be decided is, whether the resolution, now proposed for its adoption, is likely to be useful, or otherwise, for the purposes for which I am bound to believe it is intended? That resolution contains, indeed, some propositions, to which, as abstract propositions, I have no difficulty (with certain modifications) in subscribing. But the questions for the House, on the present occasion, I take to be, not whether the resolution be abstractedly true, but whether the passing of any such resolution as this be either necessary or advisable, and if it be neither necessary nor advisable, whether it may not be rather detrimental than beneficial to the general object upon which the House has already expressed its determination.

In addressing myself to these questions, I must lay out of the account much—indeed the greater part—of the speech of one hon. and learned gentleman (Dr. Lushington), because it has been already determined by the House, and by the government, to proceed in this great measure, as far as possible, by means of conciliation and recommendation; but the whole of the hon. and learned gentleman's speech was directed rather to means of force and terror. That speech, therefore, I must pass by, as entirely dissonant from the whole tone and temper in which the discussion of this matter has been hitherto conducted; and especially from the laborious and temperate speech with which this resolution has been introduced for our deliberation.

I must assume, Sir, that the resolutions passed by this House, in May 1823, constitute the rule which parliament have agreed to take for their guidance; and I must also assume (the position which I have just stated not being contradicted), that the several measures which the government have founded on those resolutions are admitted to have been conceived in the spirit of those resolutions, and to have been framed in accordance with that spirit.

If, Sir, there be those who think that a different course than that which the House of Commons has pursued, ought to have been adopted; if there be those who are even disposed to go back to the year 1807, and to contend that the abolition of slavery in the West Indies ought to have been then enforced by the same act of parliament which abolished the trade in slaves, I have really only to say to them that they come too late into the field; that parliament has already taken its determination, and formed its decision on that subject. I must remind them, that parliament has already declared, in a way not to be misunderstood, that it would not enact the emancipation of the slaves in the West Indies; that it looks to that result only through a sober and gradual course of measures; that it will not be diverted from that course, except by a degree of resistance, amounting to contumacy, on the part of the West-Indian colonies, which it will not at present apprehend.

If there be those again who think that this important question, involving as it confessedly does, the lives, the interests, and the property of our fellow-subjects, is to be determined on the abstract proposition—"That man cannot be made the property of man,"—I take the liberty of relegating them to the schools; and of telling them that they do not deal with this grave and complicated matter as members of the British parliament, or as members of a society constituted, like that in which we live, of long-established interests, of conflicting claims to protection, of modifications and involutions of property not to be changed and simplified by a sudden effort, and of usages which, however undesirable, if the question were as to their new institution, are too inveterately rooted to be destroyed at a single blow. I must tell them, Sir, that the practical adoption of their speculative notions would expose our West-India possessions to ravage and desolation, which, I think, those honourable gentlemen themselves would be as little satisfied to behold, as I hope they are prepared wilfully to produce them.

The learned civilian, referring to a former debate, has quoted a passage of a speech of mine, wherein I stated, "that the spirit of the British constitution was, in its principle, hostile to any modification of slavery." This reference compels me to set myself right with the House. The learned civilian has read the extract from the speech, but he has not given the context from which it is torn. Sir, the hon. member for Weymouth had, on that occasion, prefaced his proposed resolution with a declaration, that "the state of slavery was repugnant to the principles of the British constitution, and of the christian religion." Did I subscribe to that proposition? Can the sentence quoted by the learned civilian be fairly understood in that sense? In order that the House should rightly understand what I did say, I will read that part of my speech of that day to which the quoted sentence belongs.

"The hon. gentleman (it is the hon. member for Weymouth to whom I am alluding) begins his resolution with a recital which I confess greatly embarrasses me: he says, that 'the state of slavery is repugnant to the principles of the British constitution, and of the Christian religion.' God forbid that he who ventures to object to this statement should therefore be held to assert a contradiction to it! I do not say, that the state of slavery is consonant to the principles of the British constitution; still less do I say, that the state of slavery is consonant to the principles of the Christian religion. But though I do not advance these propositions myself, nevertheless, I must say, that in my opinion the propositions of the hon. gentleman are not practically true. If the hon. gentleman means that the British constitution does not admit of slavery in that part of the British dominions where the constitution is in full play, undoubtedly his statement is true; but it makes nothing for his object. If, however, the hon. member is to be understood to maintain, that the British constitution has not tolerated for years, nay, more, for centuries, in the colonies, the existence of slavery—a state of society unknown in the mother country—that is a position which is altogether without foundation, and positively and practically untrue. In my opinion, when a proposition is submitted to this House, for the purpose of inducing the House to act upon it, care should be taken not to confound, as I think is done in this resolution, what is morally true with what is historically false. Undoubtedly, the spirit of the British constitution, is in its principle, hostile to any modification of slavery; but as, undoubtedly, the British parliament has for ages tolerated, sanctioned, protected, and even encouraged a system of colonial establishment of which it well knew slavery to be the foundation."

Here I do not say that slavery is sanctioned by the spirit of the Christian religion; and as little do I say, that it is sanctioned by the principles of the British constitution. But, although I do not advance any such proposition in opposition to that of the hon. member for Weymouth, still I do say, that his proposition is not practically true. If the hon. and learned gentleman meant to say, that the spirit of the British constitution is adverse to slavery, I admit the truth of his proposition; but it makes nothing for his argument. If he meant to say, that the British constitution has not for years tolerated slavery in its colonies, then it is quite evident that his proposition is positively and practically untrue. I contended then, as I contend now, that care ought to be taken, in touching questions of this nature, not to mingle and confound what is morally true with what is historically false. I admitted then, as I admit now, that the constitution of this country is adverse to the practice or principle of slavery; but, I affirmed then, and I now repeat the affirmation, that the parliament of this country has protected, fostered, and encouraged establishments, whose main support, it well knew, was derived from slavery. Guarded, then, Sir, as my declaration on this subject was at the beginning, guarded as it was at the end, I think the learned gentleman did not do quite fairly,—did not act, in respect to my speech, as he would have acted professionally in the citation of any document in a court of justice,—when he separated a single sentence, or rather member of a sentence, from the rest, and presented it to the House as a simple, direct, substantive, and unqualified proposition.

The learned gentleman seems, indeed, to think that he is at liberty to construe my speech of three years ago by comparison with something which passed the other day, in another place; of which, as stated by himself, I profess I do not see the practical bearing upon my argument (such as I have now shewn that argument to have been):—but of which I know absolutely nothing but what the assertion of the hon. and learned gentleman conveys to me. The distinction I now wish to press upon the attention of the House is the same as I have always endeavoured to maintain. I have before said, that theoretically true as it may be, that the spirit of slavery is repugnant to the spirit of the British constitution, yet this country, blessed though she has been with a free constitution herself, has encouraged in her colonies the practice of slavery, however alien to her own domestic institutions; and this, too, be it remembered, at a time when her councils were guided by men, the acknowledged and boasted friends of liberty. I will not stop to enter into a disquisition whether, at the time to which I refer, the duties of governments, and the rights of man, as man, were as fully understood, as in the age in which we have the happiness to live; whether the freedom of England had then attained that moral maturity which it now exhibits. Be that as it may, the simple fact is, that this country, notwithstanding her free constitution, did found and maintain, nay, more, did foster and prescribe a system, of which, not only was slavery an ingredient, but which required an annual influx of the black Stygian stream of slavery for its nutriment and sustentation.

But there was another part of the proposition put forth by the hon. member for Weymouth, on the occasion to which the learned civilian has alluded, viz.—that the state of slavery is repugnant to the principles of the Christian religion. To this, Sir, I objected, not, certainly, meaning thereby to degrade the Christian religion by the imputation that it was tolerant of slavery; but meaning to free this country from the necessity which would result from the adoption of the hon. gentleman's doctrine—the necessity, of proceeding without pause or hesitation, not merely to the immediate modification and gradual abolition of slavery in the colonies, but to its instant and total extirpation. What I meant to deny in the hon. member's proposition was, that the Christian religion and slavery could not be in existence together. I said that the reverse is the fact; —that they have co-existed from the very dawn of Christianity up to the present day. Neither, therefore, am I forced to admit that it is a principle of the Christian religion to sanction slavery. The course of the Christian religion has always been to adapt itself to the circumstances of the place and time in which it was seeking to make a progress; to accommodate itself to all stations of life, to all varieties of acting or of suffering; restraining the high, exalting the lowly, by precepts applicable to all diversities of situation; and alike contributing to the happiness of man, and providing for his welfare, whether connected with his highest destinies, or descending with him to his lowest degradation,—whether mounting the throne of the Cæsars, or comforting the captive in his cell.

But while Christianity has thus blessed and improved mankind, its operation has not been direct, precipitate, or violent. It has invaded no existing right or relations—it has disturbed no established modes of government or law. It has rendered and recommended obedience to temporal power, even where that power was exercised with no light hand, and administered through no mild or uncorrupted institutions. While the doctrines of Christianity were preaching in the streets of Rome,—"servi cruciantur" continued to be the ordinary form of process in the Forum, not for the punishment of the slave who had been convicted of a crime, but for extracting evidence from one produced as a witness.

Then, Sir, it is not true, that the Christian religion prescribes the extinction of slavery, with unsparing, uncompromising, indiscriminating haste. It is not true that Christianity ordains the extirpation of this great moral evil by other means than those which are consonant with the just spirit of the British constitution,—means of equity and good faith, as well as of well-understood humanity; measures moderate in their character, and progressive in their operation.

Is there any thing, then, Sir, in what I have laid down to inculpate the spirit of Christianity or the principles of the British constitution? If the British government, and the British parliament, have for a long series of years fostered that system upon which we all now look with abhorrence, what is the fair inference? Is it that we are to continue to foster and cherish it still?—No, Sir; that is not what I maintain: but I do maintain that we, having all concurred in the guilt of rearing and fostering the evil, are not to turn round upon the planters, and say, "you alone shall suffer all the penalty—we determine to get rid of this moral pestilence, which infects our character as much as yours, which we have as much contributed to propagate as you; but you, as spotted lepers, shall be banished from our society, and cast to utter ruin, to expiate our common crime."

Sir, I propose that we proceed with more deliberate counsel, and a more even hand. The House has already resolved so to proceed; and the question for decision, therefore, this night is, whether the resolution now offered for adoption is conceived in that even spirit, and bears the stamp of that temperate deliberation?

In order to decide this question, let us look where we now stand. The resolutions of May 1823 form the ground upon which we have hitherto proceeded:—is there, then, reason to believe that the government have acted upon those resolutions otherwise than in the most perfect sincerity? and has not the government avowed their determination, if the colonies should evince a contumacious resistance, to call upon parliament for aid?

If we have acted with sincerity on the views sanctioned by parliament, and if we have not departed from the declaration of our determination to come to parliament for aid, if necessary,—wherefore now adopt a resolution, which, if it is not necessary for the furtherance of the views of government, must of necessity perplex them? We have already had, in the course of the session, two motions connected with this subject. Upon one of them, that relating to certain trials of slaves in the West Indies, I moved an amendment, expressive of the disgust naturally felt at some of the scenes brought under the notice of the House on that occasion; and declaring that we saw in those scenes only greater reason to adhere to the resolutions of 1823. If, therefore, the resolution proposed to us this night were no more than a renewal of our former declarations, it would amount to nothing—it would be powerless, it would be useless.

But it is no such thing. Let us examine what it is. In the first place, it expresses regret at the proceedings of the West-Indian legislatures. To this part of it I can have no objection, further than that it would be a waste of time to record over again what we have already recorded. But the second part of the resolution pledges the House to follow up this declaration with measures, not defined, in the ensuing session. To that part I have a decided objection. I think that to pledge ourselves to such a declaration would be productive of positive mischief.

I, Sir, do not despair, that in the course of the six or eight months which may intervene between the present and ensuing session, the West-Indian legislatures may adopt measures in the spirit of the recommendations sent out to them. I think their disposition to do this would be weakened by a pledge of the nature proposed. They would argue, that we knew not our own minds; that, dissatisfied with the course which we had already taken, we now stood pledged to resort to some other undefined mode of legislation; that whatever might have been, up to this period, the views of government, the House of Commons had stepped in and changed them. In this way would the Jamaica legislature have a right to argue. Would it, then, Sir, be prudent to abandon at once expectations which the West-Indian legislatures will not be so absurd and impolitic (to use no harsher epithet) as to disappoint, by signifying to them that we are not satisfied with our own course, and warning them thereby to wait and see what further steps we may be disposed to take, on another plan and in a different direction?

An honourable friend of mine, Sir (Mr. C. Ellis), who has done himself so much credit by his speech to-night, has asked me, whether he is to understand the order in council respecting Trinidad as comprising the whole of the system of the government? My answer is, that so far as the resolutions of this House prescribe to government the course to be pursued, so far the order in council in question does comprise the intentions of government. If the colonial legislatures act *bona fide* up to the spirit of that order, with a manifest desire not merely

> "To keep the word of promise to the ear,
> And break it to the hope;"

not by evasive or illusory enactments, but with a full and fair intention to carry substantially into effect the meliorations recommended to them, I am convinced, that the views of parliament will be accomplished. It is to the spirit of the proceedings of the West-Indian legislatures that we shall look; and the government, and I believe the parliament, are disposed to look to it with confidence and candour.

My hon. friend has particularly adverted to the clause for compulsory manumission of slaves. It is undoubtedly the main clause of the whole. It is the only one that is *directly* operative. All the rest go to mitigate, to improve, to regulate the system of slavery; to render it more tolerable in its existence, and to prepare its gradual decay. *This* clause is the *way out of* that system, the opening by which slavery itself may *escape*, gradually, and, as it were, imperceptibly, without the shock of a convulsion.

The great difference between the plans of his majesty's ministers and those of the hon. gentlemen who are desirous of a more rapid progress is this, that those hon. gentlemen would risk great dangers, would risk even the frustration of their own object, for the hope of arriving at it immediately; whereas we would rather postpone a little the attainment of the object, in order that we may arrive at it with a greater assurance of safety.

I agree, Sir, in many particulars, with an hon. gentleman opposite, who has spoken with so much good sense; but I differ from him widely on the subject of compensation. I think nothing could be more monstrous than to admit a claim of compensation into a system of measures which are purely measures of amelioration; and which all who look upon the moral improvement of the slave as beneficial to the interests of the master, must acknowledge to be calculated to create eventually an advance instead of a deterioration in the value of the master's property in his slaves. I admit, at the same time, that the principle of compulsory manumission, being one of force (though qualified so as to guard against danger), *there* it is that the principle of compensation properly finds its place. The price which the manumitted slave will have to pay to his owner, augmenting, as it naturally must do, in proportion to the improved value of the slave, is the medium through which that just compensation will be administered.

Sir, although the discussion upon this question has been long, and although many foreign topics have been introduced into it, I am not aware of any other practical points, beside those I have already touched upon, which call for answer or explanation. Nor would it be consistent with what I have said of the inopportuneness of these repeated discussions, to protract that of to-night beyond the limits of the question on which the vote of the House is to be taken.

I have endeavoured to show, that while I willingly admit that the dictates of humanity, the principles of the Christian religion, and the spirit of the British constitution repudiate slavery, there is nothing in that admission which calls upon us to abolish the system, however odious, with a violence and precipitancy, the effect of which would be to bring down ruin upon a large class of our fellow-subjects, and to exchange the evils of slavery for those of anarchy and bloodshed. I hope that I have also shown that the government is sincere in its endeavour to carry into effect the wishes of parliament, wisely, temperately, soberly, in the spirit in which those wishes were conceived. But I also hope that I shall have made it clear to those whose interests are more directly involved in this great question, and whose agency is necessary to the satisfactory solution of it, that what we profess to do with temperance and soberness, we are, at the same time, determined to do, or to see done. I trust it will be understood, that it is only because we do not like any thing which has the appearance of menace, that I have not to-night distinctly repeated the declaration, that if, contrary to our hope, we should be met by the colonies with contumacious opposition, we shall come to parliament for aid; an aid which parliament will not hesitate in granting, to carry into execution its own wholesome and holy determination.

Sir *T. Ackland* rose, and said he wished to leave the question entirely in the hands of government, and would therefore move, as an amendment, the previous question.

Mr. *Canning*, as we understood, said he had intended to conclude with making that amendment himself.

Mr. *Brougham* then replied. He maintained, that slavery had existed, not in accordance with the principles of the British constitution, but in spite of them. So it was with respect to the Christian religion. Could any man deny that it was most unchristian to hold a fellow being in slavery—to treat him as a brute beast, and, at the instigation of capricious cruelty or sordid avarice, to tear the very flesh from his bones? Such a system was essentially repugnant to Christianity, and could, by no process of sophistry, be reconciled with its mild and benignant spirit. The right hon. Secretary had represented the resolution as imposing the obligation on the House to proceed absolutely next session with coercive measures against the colonies. The resolution, however, only bound the House to take the question again into consideration next session, if nothing should have occurred intermediately to obviate the necessity. As to the argument, that harm would result from the rejection of the resolution; let the responsibility rest on the heads of those who voted against them.

The House then divided: For Mr. Brougham's resolution 38; Against it 100: Majority 62.

HOUSE OF LORDS.

Tuesday, May 23.

Corn Laws.] The Earl of *Liverpool* said, that in proposing the second reading of the bill now before their lordships, it would be unnecessary for him to trespass at any length upon their patience, and the more so, as in the debate anticipating the present motion, he had so fully stated the motives which governed, and the objects which were expected to be realized by his majesty's government. He would, therefore patiently hear any observations which noble lords might think proper to offer, and he trusted to their indulgence to allow him to make such remarks as those observations might call for. He had already put their lordships in possession of the motives which induced him, at that period of the session, to call their attention to this subject; and he would now only address to them a very few words indeed. Here, however, he begged to repeat, what he had so often stated before, that the two bills now before their lordships had no reference whatever to the general question of the Corn-laws. That question he considered to be entirely open for discussion, and whether any alteration in the general system of these laws would be advisable or not was a point in no degree whatsoever affected by the bills now before their lordships. Under special circumstances, he considered these temporary measures to be necessary; although he knew that, in certain quarters, considerable apprehensions were entertained as to the nature of their operation. Despite of that, however, he had the satisfaction of believing, that, with respect to the first bill which he had the honour of proposing (and which, in point of principle, might be considered the most objectionable) those most connected with the agricultural interest, on a calm consideration of the subject, felt satisfied that it in no ways militated against their particular interests. In the course of the last session a similar bill was introduced, and the representatives of the agricultural interest had not objected to it. To be sure, if they looked at these bills with a sheer view to their own interest—if they could prove that all foreign corn could, at all times, and under all circumstances, be excluded from this market—if they could thereby obtain a monopoly, then perhaps there might be some reason in objecting to the proposed measure. But he thought that the agricultural interest could neither be so unwise nor so unjust, as not to see that there were certain circumstances under which it would be both expedient and necessary to admit the importation of foreign corn. If, then, that were once admitted, it would be natural for their lordships to consider what particular measures, under a particular emergency, would be least detrimental to the agricultural interest. The allowing of a limited importation of foreign corn, had been again and again admitted to be for the advantage of the agriculturists. In the years 1816, 1817, 1818, and 1819, but particularly in the year 1816, this country was visited with an unusually defective harvest. This was known as early as the month of July, and yet, on the 15th of August, the price for the previous three months being a few shillings below the importation price, the ports continued closed till the November following. The Baltic was then shut up; no importation could take place, and the consequence was, that wheat rose from *53s.* to *110s.* the quarter. Then the general feeling was, that, if a limited importation could have taken place, not only the agricultural interest would not have been injured, but the public distress would have been materially alleviated. The result of that was, a rise in prices, and a corresponding rage for speculation, so that, what was called a real evil, became a double evil; for the ports were not open when a moderate supply of corn was necessary, and they were open when hundreds of thousands of quarters were unnecessarily thrown upon the market. In the year 1818, there was an average crop; but yet the ports were open, because the corn was a little above *80s.* the quarter. Speculation then went on to an alarming extent; the market was glutted, and the result was the ruin of hundreds. He merely adverted to this subject, with a view to shew, whether the general system of the Corn-laws was good or bad, that it would be necessary to review it in the next session of parliament; and he would add, he felt persuaded, that a moderate importation of foreign corn, in proper time, would be the very best thing which could occur for the agricultural interest. These few observations more particularly referred to the first bill before their lordships; but he thought it would be more convenient to take the discussion on both bills together. Here the noble earl adverted to some of the clauses of the bill, which he admitted to be unintelligible, but which originated from following the bill introduced last year. The bill was only intended to permit the admission of the bonded grain into the market at intervals. He should therefore propose, that one half of it should be admitted on the 15th July next and the other half within a certain period afterwards. Noble lords would thus see, that the object of the bill was, to limit the quantity to be brought to market at each time, and thus prevent the injury that might accrue, were the whole thrown in at once. In this limitation the proposed measure was preferable to the former bill —and, in this way, by the former enactments, an individual holding, suppose 3,000 quarters of wheat, was allowed to bring "any portion" of it he pleased into the market, at a given time, and "the remainder" at a subsequent period; so that he might in the first instance, introduce only 500 of his 3,000 quarters—a proportion insufficient, perhaps, to meet the existing exigency—and then throw his remaining 2,500 quarters into the market, when not so requisite, and with the probable effect of also depressing the market to the injury of the British grower. By the present measure, that mischief would be obviated; and he was sure noble lords would admit, that it was necessary to conciliate those whose interests were so largely at stake, and who looked with a certain portion of jealousy on the bill.—So much, therefore, with respect to the first bill. With regard to the second, he felt that it was not necessary at that stage, to go at any length into a detail of it. An amendment, suggested last night, would certainly go to render it more intelligible. But he must confess, that whatever the objection to the first measure might be, it would be greater with respect to the second, which stood not on the same grounds. He did not ask, that under the proposed bill, ministers should be intrusted with a discretionary power, which it would not be proper to give to any government—that question was to be decided, not by reference to the individuals to be intrusted with the power, but on its own merits. He should say, with respect to it, that it was a most extraordinary power to intrust to any government; but, in trying a measure like that, it must be done with reference to its consequences as regarded the public interests, and not with respect to the individuals who were to be clothed with it. On that view he rested the question; but he entreated of their lordships to consider whether, in the interval that must elapse between the passing of the bill and the period at which parliament should again assemble, something might not happen to render its enactment necessary. He knew very well that it might be said, the occurrences of such circumstances were possible at any other time, but it was very different to apply for a measure of that description at an ordinary period, and at the present, when the possibility of increased distress was ten-fold, twenty-fold, nay, a hundred-fold, beyond that of any ordinary year. He had heard it said, "Why do ministers apply for powers to the legislature? Why not act against the law, should necessity arise, and then throw themselves, for indemnity, upon the justice of parliament?" To that he would answer—if an unforeseen contingency should happen in a parliamentary recess, there was no set of individuals fit to hold the reins of government a single moment, who would not boldly assume the responsibility, and then throw themselves upon parliament for an indemnity. But he would say, that if the possibility of such an occurrence should appear to government previous to a prorogation of parliament; if existing circumstances were such as to justify the apprehension of ministers that such circumstances might arise; it became their duty to come down to parliament and ask for a bill of indemnity in anticipation; that was, to be able to do that legally which they might be compelled to do illegally. His majesty's ministers had no desire for the possession of the power referred to, nor for the exercise of it; but, as the emergency was possible, they would feel more at their ease, if the power to act were conferred by parliament; not to be exercised but in case of absolute necessity. These were the grounds on which both bills rested. He had lately had more than usual intercourse with that class of society termed the agricultural interest, and he could assure their lordships, that, as far as he could ascertain the sentiments of that class, they were much more reconciled to those measures than formerly. They had been taught to believe, that legislating upon the subject then under consideration, was an attempt to tamper with the general question of the Corn-laws, and with an intention to convert the passing of those measures into precedents, whenever the discussion of the general question should take place. They had no objection whatever to allow the bills then before their lordships, to operate, so as to answer their avowed and real object; namely, to meet the urgent necessity which pressed upon the country in this year leaving the general question of the Corn-laws to be fully and impartially discussed at a time when that discussion could be approached with more calmness, and with more prospect of coming to a wise decision upon it. The noble earl concluded, by moving the order of the day for the second reading of the warehoused Corn-bill.

The Earl of *Malmesbury* said, he might appear singular in expressing his opinion that a partial and gradual admission of the corn at present in bond was not objectionable, and that, with reference to the state of the country, the operation of the measure would bear a strong resemblance to the safety valve of a steam engine. The measure was not, however, called for by any alarming rise in the price of corn. Last year, the average price of wheat was 68*s.* per quarter; in the present year it was 59*s.* Of course he did not mean to say that, because corn was at a higher average price last year than in the present, the proposed measures could not become necessary. But when he viewed both, he thought it would be better that the first should pass, because it would diminish the chance of the second being required; for if the first, which would liberate 300,000 quarters of corn, should receive the sanction of the legislature, it became the less probable that the second, which would allow the importation of 500,000 quarters, should be called for. He had thought, and he had expressed that opinion, that we could not go into the great question with the necessary calmness at the then present period; but as, by the introduction of the measures before their lordships, the subject had been opened, he thought ministers ought to have been prepared for the discussion of it. He felt much gratified at the explanation given by the noble earl; namely, that one moiety of the 300,000 quarters should be admitted into the market on the 15th July, and the other moiety on the 15th August, by which time the quality of the new harvest would be ascertained, and we should then have a chance of going on till November. With respect to the statement of prices referred to by the noble earl, he was not certain to what year it applied, the average price of wheat in May, 1816, was 74*s.* per quarter; in June it was still 74*s.*; and in August it rose to 82*s.* The circumstances, therefore, at that and the present periods differed. Moreover, there was in 1816, an act already in existence, which allowed the importation of foreign corn, whenever the average price of wheat rose to 80*s.*; and beyond which it had risen in 1816. There was another striking difference between the two periods. In the year preceding 1816, the importation of foreign grain had been only 30,000 quarters, while, in the year 1825, the quantity imported was 500,000 quarters. Their lordships were aware that there were two species of foreign grain imported, to which the averages applied; namely, barley and oats. Now, how had that system applied? With respect to the latter, the average price of oats had, in May 1824, been 24*s.* 4*d.* per quarter; in June, 25*s.* 6*d.*; in July, 26*s.* 6*d.*; and that in the month of August it had exceeded the average price at which foreign grain was allowed to be brought in by two-pence. Noble lords might recollect in what manner that excess had been effected. The corn jobbers, when they saw that the price was, in the six weeks preceding the 1st of August, coming near to the required average, made a push by which to achieve their object. They went down into Wales, and there sold to each other small quantities of the grain, at such prices as raised the average beyond that required by law; the consequence of which was, that the markets were thrown open, and inundated with foreign grain. The same occurred with respect to wheat in 1818. For these reasons, his opinion was in no wise changed respecting the second measure; for, if he agreed that 300,000 quarters of foreign wheat should be admitted, it by no means followed that he must consent to the admission of 500,000 quarters more. He could assure their lordships, that a positive evil would be done by the second measure, to an important class of agriculturists, the less opulent farmers; who, in the following fortnight, might be expected to bring the residue of their wheat to market, in order to raise the funds necessary to meet the expenses of the hay and corn harvests. They had paid their rents and tithes, and were anxious to be provided, as usual, for the present season of the year. The consequence to them of the proposed measure would be a loss of 8*s.* per quarter, or about 20 per cent. The farmer would be therefore obliged to say to his wife, that she should wear her Manchester stuff gown twice as long as usual; or he must do this—he must reduce the price of labour at that period of the year to which the poor agricultural labourer looked forward as a period at which he should be more fully compensated than at any other. Their lordships would thus be inflicting a positive evil, in order to guard against a contingent one. The noble earl here referred to the injury which the corn-dealers would receive from the proposed measure, and cited the cases of some Irish dealers, who had lost 10,000*l.* by what they deemed a breach of a pledge of his majesty's government; and contended, that compensation was as justly due to those individuals as to any persons to whom compensation had ever been awarded. This might be the last opportunity he should have of delivering his opinion upon the subject; but, although their lordships had not adopted his suggestions, he hoped that when they should come to meet the general question, he should have their support in moving for the appointment of a committee to inquire into all its circumstances. He would throw out a hint, that government should, in the interval, between the close of the present session of parliament and the commencement of the next, use all possible industry to procure information on the subject—not from political economists sent travelling throughout Europe—but from our consuls resident abroad, whose salaries had lately been increased, and who must therefore be held to be competent to supply it; and he further hoped, that all the necessary papers would be laid before parliament at an early period of the next session. His objections to the second measure remained unchanged; and he trusted that their lordships would agree with him, that the first being sufficient, the second ought not to pass.

The *Lord Chancellor* said, he should not consider himself justifiable, holding the responsible situation which he held in his majesty's government, if he did not distinctly state it to be his opinion, that no measure could be more open to blame, than one calculated deeply to affect the agricultural interest. He was firmly convinced that every other interest which went to the constitution of the country, that the manufacturing, the commercial, the professional interests, rested so strongly on the agricultural interest, that parliament would do infinite mischief to every rank and class in the community, if they did not carefully foster the interests of agriculture. But he could by no means look on the measures under consideration as correctly represented, when they were described as affecting, or leading to any important change in, the system of laws which governed our trade in corn. With respect to the measure for liberating bonded corn, that seemed to meet with little or no objection; and he should, therefore, dismiss it without remark. But the other and more important measure, to which considerable objection was made, seemed to him to be so founded on constitutional principles, that he hoped their lordships would allow him to say a few words respecting it. No man could feel more strongly than he did the inexpediency, on the part of his majesty's government, of committing any act of power against the law. Yet, sure he was, that circumstances might arise, in which it would be absolutely necessary, for the salvation of the country, that his majesty's government should commit an act of power against the law; provided always that they were warranted by necessity in so doing. In fact, the constitutional doctrine seemed to him to be this; if a case could be foreseen in which it would be necessary to commit an act of power in violation of the law, it was their duty to remove the objectionable part of that act by divesting it of its illegality. But even that proposition ought to be limited: for his majesty's government ought, in no case, to apply for such a measure in advance, if it was probable that more mischief would result to the public from the application, than from waiting until the necessity for the act should arrive. If such should be the case—if it were probable that more mischief would be occasioned by the application—it then became the duty of his majesty's government to wait until the necessity; then to perform the required act of power, even in violation of the law; and subsequently to apply to parliament for indemnity. But, let their lordships consider how the present matter stood. The second bill before them was a bill to enable his majesty, by an order in council, to do certain acts therein mentioned. But it did not take away the obligation on his majesty's government to abstain from such acts, unless on the spur of an urgent necessity. It only authorized them to do such acts as his majesty ought to be, and would be, advised to do, if parliament had not interfered at all on the subject. There was one point on which he wished to be clearly understood; namely, that the proposed law had not, and could not, have any connexion whatever with any measure affecting the existing system of the Corn-laws. It gave an antecedent power, but his majesty's ministers were just as responsible for the manner in which they exercised that power, as they would have been for their acts, had no such power been given. He was, however, particularly anxious to impress on their lordships, that the proposed measure ought not to affect, and could not in any way affect, the existing system of the Corn-laws. If either directly or indirectly it had that tendency, nothing on earth should induce him to vote for it; for he looked upon the support of the landed interest as a question not affecting A, or B, or C, but affecting, in substance and effect, the whole constitution of the country. Suppose the bill did not pass, was there a single member of his majesty's government, who, if a necessity should arise for committing an act even against the law, would hesitate to advise the commission of that act? And would such a step tend, in any way, to affect the system of the Corn-laws? Yet, that was only what the bill rendered it legal to do. He did wish to disguise it from himself, that it was possible that consequences of a nature to be lamented, and which he did not foresee, might possibly arise from the adoption of the measure; but it was one thing to say that he did not foresee those consequences, and another to say that it was his intention to affect the Corn-laws. He solemnly protested before their lordships, that he had no such intention; nor could he divine in what manner the Corn-laws could be affected. If the measure pledged that House, or any man in that House to any alteration unfavourable to the Corn-laws, he would be the last man to stand up as its advocate.

Earl *Grey* observed, that the noble and learned lord had stated very properly the grounds on which he supported the proposed measure. He had as much jealousy as the learned lord of an act of power on the part of the Crown, in violation of the law; but he was well aware, that if, under certain circumstances, such an act were not resorted to, the public safety might be endangered. He fully subscribed, therefore, to the principle which had been laid down by the learned lord. But, the question to consider was, how far that principle supported and justified the present proposition; and, after listening to the learned lord with all the attention to which he was entitled, he must say that the learned lord had failed to convince him, that the measures in question was susceptible of the defence which had been set up for them. The learned lord had justly called this measure an act of indemnity in advance; and had added, that where a necessity could be foreseen, in which his majesty's government would be compelled, by a sense of public duty, to do an act in violation of the law, it was better to provide them with this previous indemnity, than to wait for indemnity until after the act had been done. If he agreed with the learned lord in this opinion, it must be with some qualification. He admitted, that if such a necessity could be foreseen, it might be right for parliament previously to arm his majesty's ministers with the power of acting under that necessity, in the same manner as they would be justified in acting, were the power not granted them. But then the necessity must be clearly proved. The circumstances must be of so striking and extraordinary a nature, as not only to justify the legislature for taking such a step, but to make it criminal in them not to take it. Now, he asked their lordships, was that the case in the present instance? When did the necessity of which his majesty's ministers now spoke arise? Did it exist on the 18th of April, when a motion was made in another place respecting the Corn-laws, and when his majesty's ministers emphatically declared that, although the existing duties made a principal feature of the discussion to which he alluded, they would not support the proposition for taking the Corn-laws into consideration. Nay, one eminent person expressed it as his opinion, that any measure which tended to diminish the price of corn would aggravate, rather than alleviate, the distress which all parties allowed to exist. In fact, that distress had existed, not for days or weeks, but for months, and yet ministers did not foresee the necessity of which the learned lord now talked. What had occurred since? The distress continuing to operate, had at length produced riot and insurrection. Nobody felt more strongly than he did the necessity of controlling, by the strong arm of power, acts of violence and disorder; but he also trusted, that no man felt more compassion and indulgence for the unhappy persons who were goaded, by want and suffering, into the commission of such acts. He must say, however, that it ill became a legislature, framed as that and the other house of parliament were, to withhold a provision calculated to relieve distress, at a time when the existence of that distress was fully known to them, and to consent to such provision as soon as the distressed persons had proceeded to turbulence and outrage. He must say, therefore, that he could not see any necessity proved which would justify antecedent indemnity. The question, then, came to this point, had not the present course produced great and important evils; and might not those evils have been avoided, if ministers had acted upon the necessity, when it arose with that responsibility, the indemnity for which they now sought beforehand? The learned lord himself admitted, that evils had been the result of the measures now before the House, and stated that he, for one, would be the last man to acquiesce in them, if he thought they, in the most remote degree, affected the agricultural interest—that interest upon which the learned lord, with great truth, had observed the constitution of this country mainly rested. He was glad to hear such a declaration from so high a quarter; and he trusted that he should satisfy their lordships that the learned lord, acting upon the sentiments he had expressed, would find it impossible to support these measures. What, he begged to ask, was the question before the House? Was it not this? Great distress afflicted a large portion of the manufacturing districts, breaking out into open violence; and thereupon, ministers came down to parliament, and, in answer to a proposition for affording relief to the sufferers, declared, that they must at once take some steps for lowering the market price of corn. Now, what could the effect of such a declaration be, but to publish throughout the country, that government considered the price of corn as the cause of the distress; or, at all events, as mainly contributing to it? This was a most unfair way of treating the agricultural interest; for it was impossible for any man who looked before him not to foresee, that it must create a general impression, and certainly a most unfounded one, that the Corn-laws were the source of the present distress. The effect of accompanying the first notice of the distress with a proposal to seek relief in a breach of the Corn-laws could not be other than this. It was, in fact, holding up to public obloquy those persons who sought to prevent a relaxation of the Corn-laws, as opposed to the relief of the manufacturing classes. He, for his own part, had no peculiar interest to advance by his conduct in that House. Not professing more disinterestedness than any other noble lord, he appealed to the history of his public conduct, whether he was likely to be influenced by motives of a personal nature. The only thing that could influence him in his conduct on this question was, a natural, and he trusted an honourable desire of maintaining in his family that property, which had been handed down to him from his ancestors; but, anxious as he was to secure that property from deterioration, he should still feel ashamed if, in his efforts to preserve it, he did not act with a due regard to the general interest; which, after all, was inseparable from the landed interest. And, although he now disapproved the mode in which relief was proposed to be administered, there was no one personal sacrifice he would not make to rescue from distress his suffering fellow-subjects. When, however, acting on his conviction that the measures now before their lordships would not only not mitigate, but would increase the evils, was it fair that he should be taunted with a want of feeling? The noble earl opposite, as well as the learned lord, were anxious to impress on their lordships, that parliament could come next year to a consideration of the Corn-laws, without prejudice to the general interests. But how, he would ask, could they come to a fair, unbiassed, impartial consideration of a question already prejudged, by the adoption of the measures now recommended by the government? Could the agricultural interest come into the field on equal terms, when it was notorious, that many individuals had voted for those measures, because they thought that their adoption would afford them a footing on which to rest their attack on the Corn-laws? He was satisfied that many persons had acted on that view of the case. It was therefore necessary to proceed with great caution; and whatever odium might attach to his present opposition, that odium he should be ready to meet. In the course of the discussion which took place since the first announcement of the distress by ministers, they had shifted their situation; their first tale was, that the measures were called for by imperious necessity, but all this had since dwindled down to a mere possible necessity. It was stated, for instance, that the prevalence of a particular wind might at any time make a similar application to parliament necessary—a north-east wind was declared as likely to cause a scarcity of provisions to an alarming extent. He appealed to the noble earl opposite, whether he had not stated, that cold weather had checked, nay destroyed, the harvest. In fact, the noble earl went so far as to assert, that he remembered one occasion, on which, in the course of a single day, a mere change of wind and weather had produced blight and disappointment. The state of the weather might, undoubtedly, have been unpleasant to the feelings; but it certainly had not retarded the hopes of an early harvest. Referring to a statement made a few nights back, that there was at present a scarcity of corn in the country, the noble earl observed, that he had taken great pains to procure information on the subject. He had consulted, among others, his hon. friend Mr. Coke of Norfolk, and a noble friend of his possessing property in the same county: both of them extensively connected as they were with the landed interest, and, consequently, enjoying the best means of acquiring accurate knowledge as to the fact, had assured him, that so far from there being grounds for apprehending a scarcity, there was never seen so large a quantity of corn at any former period in the stackyards throughout Norfolk. In Ireland there was also a great abundance; and in that part of the country with which he was more immediately connected the harvest was of the most promising description. Indeed he had been informed, on the most respectable authority, that all along the coast of Northumberland there was in the hands of the merchants and farmers as great a stock of corn as had ever been remembered at this period of the year; that the crops were going on well, and held out a hope not only of a good, but of an early harvest; and that, in fact, a greater quantity of wheat had been sown this year, than during many preceding seasons, owing to the high price of corn last year. Now, he put it to their lordships, was the necessity proved? or rather was there any thing more to bear up the arguments of the noble earl opposite, than the bare possibility that that might happen this year which was just as likely to occur in any other year? Feeling that he had stated to their lordships enough to satisfy them of there being no grounds for the adopting of the present measures, he next came to the learned lord's argument, as to the balance of evils. The evils were unquestionably of great magnitude; but looking to the necessity as a mere possibility, he thought it would be best for ministers to act on their responsibility, the chief advantage of which would be, that they would, by so doing, excite no alarm; and the act of power, against law (for such, notwithstanding the indemnity in advance, it must be regarded) would at all events be thus rendered much less mischievous in its effects: but, were he to admit the necessity, he would certainly feel, that if it were right to provide an indemnity for an act of power, that indemnity might be indefinite and without any limitation whatever. He differed widely from the declaration of the learned lord, that when the necessity was foreseen, it was no merit in parliament to give to ministers the power of acting on their responsibility, with an indemnity in advance, particularly when given on mature consideration. To such a doctrine he could never consent. He thought it unconstitutional to grant to ministers the power of dispensing with the laws, nay more, of taxing the people to the amount of 400,000*l.*, by the imposition of a duty of 17*s.* on the 500,000 quarters proposed to be admitted; and this, too, on the eve of a general election. He was anxious that an inquiry should take place before parliament established a precedent so destructive to the constitution. It could not be said that the present distress came unexpectedly on the government; as it had been distinctly alluded to by a minister in the other House, whose peculiar department it was, to attend to such matters, and who was admitted, on all hands, to be the moving spirit of the new system of free trade;—a system of which, however plausible in theory, the more he lived, the more he doubted the possibility of applying it with advantage to the commerce of this country. He was aware that, for entertaining such sentiments, he might be set down as ignorant by many persons; but still he could not help observing, that in all the alterations hitherto introduced, there came some little circumstance to upset all their refined calculations, and expose the fallacy of their theories. If the distresses were foreseen in April last, when the proposition for a revision of the Corn-laws was submitted, why, he asked, did not ministers then propose the measures which they now brought forward, and why did they now seek to press them through parliament, without affording time for inquiry? Inquiry could not be opposed, on the grounds that it was necessary to dissolve parliament without delay, as it had often sat to a much later period; it had often continued its sittings to the end of July, or the middle of August. Their lordships, then, were desired, on the mere confidence of ministers, to forego inquiry. His opposition did not arise from a want of confidence in his majesty's ministers, although he was not one who felt disposed to place particular confidence in the noble earl opposite, disapproving, as he generally did, of the measures of the noble earl. But he held, that it would be a surrender of his trust, if he placed confidence now at the eleventh hour, when so much time had already been lost, which might have been much more usefully devoted to inquiry. For his own part, he was not opposed to a revision of the Corn-laws, and even in 1815 he thought the protecting duty too high. He was also anxious to have the sum reduced at which the importation was to take place; feeling that some relief had, since that period, been afforded to the agriculturists, by the reduction of taxes which pressed heavily upon them, and also by the alteration of the currency. Although he was of opinion, that it might be desirable to fix the price at a lower rate, he was far from admitting, for a moment, that the operation of the Corn-laws had hitherto proved a practical evil; agreeing, at the same time, with the noble earl, that nothing was more dangerous than a fluctuation of the value of articles of human subsistence. The effect of the present measure would be to give large fortunes to speculators in foreign corn. Instances of fortunes being acquired in such a manner were not unfrequent amongst the merchants, whilst the farmers were as often ruined; the consequence of which was, that they limited their consumption, and thereby brought distress on the manufacturers. Averse as he was to opening, at the present moment, the question of the Corn-laws, he would still rather, by ten to one, go into an inquiry on them than consent to the proposition of government. After remarking on the insidious light in which the landed interest must be placed by the course pointed out by ministers, the noble earl declared, that in his opposition he was not influenced by any consideration of personal interest. At the same time, he admitted the right of every individual to consult his own advantage; as it was by each class attending to his own interests that the general interest of the country was advanced and protected. The noble earl concluded by expressing his decided opposition to the measures before the House.

The Earl of *Harrowby* said, that the price of 80*s*. was collected from the average prices of the whole country. If noble lords would look to the Gazette, they would find that the average prices of corn throughout the country, furnished this price of 80*s*. although in some parts of the country the price might have reached even so high as 96*s*. or 100*s*., and in many places must have exceeded 80*s*. And it was to be observed, that this was the average for a space of six weeks together; and during that time one of these two contingencies must have occurred—either the prices must have been tolerably stationary, or they must have been undergoing a rapid rise, and in the latter case, they might have risen from any low price that could be supposed, to that of 80*s*. The question was to be considered not merely with reference to the number of shillings, but the ability of the country to bear any particular price should be taken into calculation. At a time when every man had an opportunity of abundant labour the case was very different from the present; when, in consequence of the general distress, thousands and tens of thousands were compelled to subsist on the charity of others. Sixty shillings, which at an ordinary time might be a reasonable price, and might allow proper advantages both to the consumer and the seller, might, at a juncture of distress, be in effect more oppressive than 80*s*, at a period of no unusual pressure. The noble lord opposite seemed to say, that the proposed measure would afford no relief. What! was it no relief to those who were receiving but half their former amount of wages, to furnish them with the means of purchasing provisions at something approaching to a corresponding scale? He was satisfied that there was not a noble lord in that House, who would contend, that some measure was not necessary to relieve the country, before the time at which foreign corn could be admitted. If the pressure of national distress should at any time be sudden and unforeseen, ministers would merit the contempt of that House and of the country, if they did not show themselves ready to break through the strict forms of law, and to throw themselves upon parliament and the country for an indemnity for the adoption of those expedients which the exigency of the state would have rendered necessary. But, if they could foresee the likelihood of such a contingency, as would render the opening of the ports unavoidable, were they not equally bound to ask for the power to do that legally, which they must, in the other case, have had in contemplation to do illegally, on their own responsibility? An inquiry into the general system of the Corn-laws would be, as it seemed to him, peculiarly inconvenient at the present moment, and it was a course which he should certainly object to. Noble lords asked when it was, however, that the new lights upon which they were acting had broken upon ministers? That was a question which, from the nature of it, it was impossible to answer. At what particular period it was that the intelligence of tens of thousands being thrown out of employment, and of the general increase of distress, had accumulated to such an extent as to lead the government to the consideration of this part of the question, he could not say; nor could he take upon himself to pronounce an opinion, whether the measures of government ought to have been adopted a week before, or deferred for a week after, the time at which they were resorted to. He could only say that it was the accumulation of the intelligence, from day to day, of the increasing difficulties of the country, which appeared to his majesty's government to require the adoption of extraordinary precautions. One thing only, he could assure the noble lord, was not the cause upon which the determination of ministers on this head was founded—and that was any feeling of intimidation at the riots to which the noble lord had alluded. Every noble lord must know that ministers had already given proofs that they could not be deterred, even by more serious riots than those to which allusion had been made, from following that course which the interests of the country appeared to point out. Few persons, he believed, would wish to meet parliament under such circumstances as those that must inevitably occcur, if, instead of doing something for the immediate relief of the suffering manufacturers, they were content to go into the consideration of the whole question. He thought they might look forward with confidence to another session, when that great question could be calmly and deliberately discussed. If ministers had not, in the present exigency, come fairly before parliament, and requested these additional powers—if they had, on their own responsibility, broken the law—that, indeed, would have afforded some reason for not intrusting them with such powers, if they were called for at some future period. The noble earl opposite, in adverting to the speech of his noble friend had asked, whether more mischief would not be done by introducing these measures, than if government had stood still; inasmuch as that which had been proposed by ministers would have the effect of prejudging, in a certain degree, the question of the Corn-laws. Now, he would say, that nothing could possibly be more remote from the intention of ministers than to prejudge those laws, by any thing which they proposed at present. Who, he asked, had, in reality, prejudged the Corn-laws? In his opinion, the noble lords opposite, if they had not actually prejudged those laws, were at least more ready to do so than his majesty's ministers. The two principles on which the proposed measures were founded, did not at all apply to a prejudication of the Corn-laws. The first measure admitted into the market 300,000 quarters of bonded corn, at a duty of 12*s*., the price of corn being now 60*s*.; and he certainly did not think it was fair to argue from thence, that it was intended at all times to allow all bonded corn to go out, when the market price here was 60*s*. Unless this was stated, how could it be said that the Corn-laws were prejudged? There were circumstances in the present state of the country which induced ministers not to stand in the way of allowing this supply, but it did not therefore follow, that at all times foreign corn should be admitted, when the price was 60*s*. For the same reason, they had acquiesced in allowing corn, to a certain extent, to be imported at a duty of 17*s*. They allowed this at the present moment; but they were not settling the price at which corn might hereafter be admitted. In introducing those measures, the only object of ministers was to afford present relief. But the noble earl opposite contended, that those measures would produce no relief. Why, by the first measure, a certain relief, to the extent of 300,000 quarters would be given; and by the second, a relief, possibly, to the extent of 500,000 quarters. Now really, as this was the case, he could not conceive how any one could say, that these measures would afford no relief. Whether the relief which they would effect would be sufficient or not, he could not say; but, if the pressure grew more severe, recourse must be again had to parliament. He hoped that their lordships would act, on this occasion, as he had always known them to act when any great principle was concerned; namely, that if an individual sacrifice was to be made for the general interest, it would be made with cheerfulness. He could assure their lordships that he would not have voted for the present measure if he felt that it afforded any fair reason for saying, that it went to a prejudication of the question of the Corn-laws. That it did not at all prejudge that question, he was persuaded. A case had arisen which called on the legislature to adopt the measures now before their lordships. Their continuance would not be of any great duration; and he conceived that, until the next session of parliament, no inquiry was necessary into the state of the Corn-laws. He trusted their lordships would, by the success of these measures, ensure to themselves this consolation, that even if the distress of the country increased (of which there was not the least apprehension) they had done much towards the alleviation of that distress.

The Earl of *Lauderdale* said, he felt it necessary to deliver his opinion on the two measures which had been brought forward by his majesty's ministers. He must in the outset say, that the speech of his noble friend behind him had given him the greatest satisfaction. A speech of greater power, of more justness of argument, or more deliberate calmness of reasoning, he had never heard in the course of a public discussion; but, though he was sensible of the effect which that speech would have on their lordships, yet he felt too much interest in this question to give a silent vote on the present occasion. Before he proceeded to investigate the subject, he requested, that the two first paragraphs of his majesty's speech on the 3rd of February, 1825, should be read.—The paragraphs were accordingly read as follows:—"My lords and gentlemen,—We are commanded by his majesty to express to you the gratification which his majesty derives from the continuance and progressive increase of that public prosperity upon which his majesty congratulated you at the opening of the last session of parliament. There never was a period in the history of this country when all the great interests of the nation were at the same time in so thriving a condition, or when a feeling of content and satisfaction was more widely diffused through all classes of the British people."—Here there was a most flattering picture of the prosperity of the country; and yet, wheat was actually 6*s.* 4*d.* a quarter dearer then, than it was when the measure now before the House was proposed. Now, he must distinctly object—not, perhaps, to this first measure, which came with a good grace, and he never did object to any measure that seemed likely, however remotely, to benefit the people; but he did object to those two measures combined; and further, he must object to the language used by the noble earl opposite, in giving up the principle on which the Corn-laws of this country stood. In 1815, the noble earl was in favour of the corn bill; and yet he might, at that day, have arraigned that measure on the very same grounds and arguments which he now advanced. In defending the bill to which he had alluded, the noble earl opposite agreed that corn must be at 80*s.* for six weeks, before foreign grain was admitted. Was there, he would ask, one evil which the noble earl had noticed as likely to occur at the present day, which was not equally likely to occur on the former occasion, when the noble earl and himself supported the corn bill? The noble earl declared that this was a measure of relief. Surely it was not a measure of relief for the manufacturers; because, when they had no money, they could not purchase corn. No: it became a measure of relief, it appeared, for the subscribers; because it would make their money go a little further. The truth was, that this measure could not possibly, even for a moment, be treated as a measure for the relief of the manufacturers. What was the price of wheat in November last? It was 10*s.* per quarter dearer than when the noble earl brought forward the present measure. At that time, too, ten months must intervene before the harvest could be brought to market to sustain the people; whereas, at the present moment, the harvest was but three months distant. Those, it should be recollected, were summer months; when it was more easy to subsist, than during the cold and damp of the winter and spring. At this time last year wheat was 8*s.* dearer than it was when the noble earl proposed this bill; but in neither instance did he think it necessary to ask parliament to pass such measures as these. Looking to these circumstances, and considering the situation of the times, it did appear to him that this was an attack upon the Corn-laws. The noble earl said, he meant no prejudgment of those laws. He did not care what the noble earl meant; but there was no man in the House, or out of it, who saw the public newspapers, or who knew what was passing in the streets of the metropolis, and throughout the country at large, that must not feel, that the introduction of these measures was received and considered as a prejudgment of the corn question. Nay more, he did not know how he could come to the consideration of that question, with equal calmness and patience, with the same dispassionate wish to view it in all its bearings, as he could have done before those measures were introduced. In his opinion, whatever might be said to the contrary, the line of policy adopted by ministers would have the effect of setting the manufacturers of the country against the agricultural interest; and would prevent, for years to come, a temperate discussion of that great subject. Why did the noble earl think that this was not a fit time for inquiry? What possible reason or argument could the noble lord advance, to show that the present was not as fit a moment for inquiry as any other? Let him look to the committee on the Corn-laws of 1814. That committee was not appointed until the 17th of June; and yet, with this fact before him, the noble lord rejected inquiry in the middle of May. The noble earl could not adduce any reason for refusing inquiry; otherwise he would have done so. But, instead of that, those who demanded inquiry were met with little more than a bare negative. The noble earl proposed to let out this bonded corn at a duty of 12*s*.; and had argued, that no person entertained any objection to that duty. He, however, would object to it, because he thought it a most dangerous measure, when combined with the provisions of the second bill. What, he demanded, was the reason for sending Mr. Jacob abroad for information? As a noble lord had already said, no man could read the instructions given to Mr. Jacob, without perceiving, that those who sent him to the continent, had determined, in future, to place their reliance on the foreign corn-growers for the consumption of this country. From 1816 to 1822, the country was found, with due encouragement, perfectly capable of meeting its consumption. But the noble earl, it seemed, had now found out, that Great Britain could not rely on its own agricultural industry to furnish corn for itself. The noble earl had told them, that he believed there were many agriculturists who, whatever their former opinions might have been, were now convinced, that this country must have recourse to foreigners for an adequate supply of grain. Now, here he would take his stand; and he must declare, that this was one of the most dangerous doctrines that could be laid down. If that doctrine were once admitted, and went forth in conjunction with these measures, the effect would be ruinous to the agriculture of this country, and must impede the possibility of fair discussion on this subject at any future period. His doctrine was this: that great Britain and Ireland could, on all ordinary occasions, grow sufficient corn for the consumption of their own people. If they looked to the committee of 1814, they would find that the evidence given bore out that fact, and that that very evidence was relied on by the noble earl opposite to support that proposition. But he need not refer to the evidence given before the committee of 1814. If they took the trouble to examine the immense quantity of grain now exported from that country, in comparison with what was exported at the former period, they would see the proposition in a still stronger light. He believed the average exported yearly from Ireland, since 1814, was 1,200,000 quarters; and therefore he would maintain, that this country and Ireland were capable of producing sufficient grain, without any foreign assistance. What, after all, was the inference to be drawn from the noble earl's conduct? Why, it was this, that he had bound himself up in a peculiar way with this question, in order to give effect to a principle, or system, which he had, some how or other, recently found out; that principle being, that this country must rely, for a certain portion of its consumption, on foreign states. He would say, that a more dangerous proposition could not be advanced. Not, be it observed, merely dangerous to the landholders, but to the manufacturers, to the labourers, to every person who was a consumer of grain. The most mischievous principle that could be adopted by this country was, to rely on foreigners for a supply of grain; and he would state why. If it were true, that when the crop was little in one part of Europe, it was sure to be found great in another, then there would be some certainty about the matter. But the fact was not so. If they looked to the corn-trade throughout Europe, they would find that, when there was a bad season here, there was also a bad season on the continent; especially in the north of Europe, from whence the great supply was to come. Therefore, they would be inundated with corn in a year of plenty; but, in a year of scarcity, they would not be able to procure the requisite supply. If, therefore, they adopted this proposition, that they must depend for their supply in a great measure on foreign countries, they would destroy their own agriculture; and, in bad years, their demand for corn could not be answered by the foreign power. The law of nature was opposed to such a system; but, independent of that, it would be affected by municipal laws. If they examined the law of France, the law of Sweden, and the law of other countries, on this subject, they would find that provision was made to prevent corn from being exported when it was at a certain price. Here, again, their object might be defeated by the operation of those laws. It was not the cause of the landholders, but of the consumers of grain generally—both the manufacturing and the agricultural labourer—that he now advocated. He was not actuated by any petty motive; and he defied any one to say that his opposition to this—or to any other measure of government, ever originated in any other feeling than an anxious desire to discharge a public duty. When he wished to acquire knowledge on any subject of this kind, he always looked to the experience of past times, and that experience showed him, that the constant admission of a foreign supply of corn was calculated, beyond all other measures, to create frequent alterations in the price of that article, without sensibly diminishing its value. It would be found in the history of this country, that, by an efficacious law, passed in the reign of Charles 2nd, before foreign corn could be admitted the price in the market here must have risen to 50*s*., which, with a duty of 11*s*. brought the importing price to 61*s*. Looking to the value of money at that day, that sum was equal to 8*l*. 4*s*. at the present time. During the first thirty years after the passing of that act, they had wheat at 1*l*. 19*s*. per quarter. That system was continued down to 1765, and during the last thirty years of that period, wheat was at 1*l*. 14*s*. 11*d*., showing that, during, the whole of that period, a low price, under those restrictive regulations, was constantly maintained. It was also a curious circumstance that, during the whole of the period he had mentioned, the highest price of grain was never more than two-thirds of that to which it rose when the system was changed to that of a perfectly free trade. This statement of facts, he would allow, was not consistent with the new-fangled doctrines about free trade, which had been buzzed into the ears of the noble earl opposite, by some of his colleagues; but as to their free trade principles, which they boasted to have applied to manufactures, particularly to silk, what was the fact? Why, though they admitted the raw material, they imposed a duty of 30 per cent ad valorem on the importation of manufactured silk;—and yet to talk of free trade! At the period he had mentioned, a free trade was allowed; and, at the end of eight years, the average price of grain was found to have been 2*l*. 10*s*. 10*d*. a quarter, being 15*s*. 11*d*. higher than it had been for a long period, under the large and formidable protection that had been granted in the time of Charles 2nd. In 1774, another law was passed, fixing the importation price at 50*s*.; and again, in 1791, a law was enacted, admitting the importation of foreign grain at 2*l*. 8*s*. If they looked to the average of wheat, from the time when the act of Charles was given up, to the end of the year 1791, when the act of 1774 was repealed, they would find the general average to be 3*l*. 2*s*. a quarter, and during a considerable portion of that time this was actually an exporting country. In 1792, a new act was made, which continued till 1804, by which wheat was admitted to be imported when it had reached the price of 2*l*. 9*s*., at a duty of 2*s*. 6*d*. Under that protection wheat rose to 3*l*. 14*s* 6*d*. In 1804, another scale of protection was adopted. It was then thought proper to go back to the protection of Charles 2nd., and the average was struck at 5*l*. 4*s*.; being considerably greater than that recently imposed. The effect of all this was, to create a variation in the price of grain which was most injurious to all classes of society. The noble earl then proceeded to argue, that it was much better for the country at large to have steady and moderately high prices, than constantly fluctuating low ones. If grain were too low in value, still the agriculturist must pay his rent, his taxes, his poor-rates. To meet this exigency, he had no other resource but that of dispensing with the labour of those workmen whom he had not the means of paying. The consequence was, that a number of individuals were thrown on the parish. In the present state of the country, many of those persons would find no difficulty in applying themselves to the working of machinery used in manufactures at a low rate of wages; and thus a superabundant supply of manufactures was forced into the market. A great deficiency in the amount of wages would compel those new workmen, in order that they might procure the comforts they formerly possessed, to undertake much additional labour, and thus distress was created amongst the established manufacturing workmen. This would not occur if the price were kept up at a just rate, so that the labourer could be profitably employed. Extremely high or low prices of grain were injurious to the country. What was wanted was an equality of price.—The noble lord then proceeded to contend, that the landed interest were subjected to burthens peculiar to themselves, to a very great extent. The land-tax amounted to about 10 per cent on the value of the rent. Did the silk manufacturers, who had obtained a protection of 30 per cent, labour under any such burthen as this? The poor-rate and tithes taken together amounted to about 33 per cent on the value of the rent; which, added to the 10 per cent before mentioned, made a total of 43 per cent of taxes, pressing exclusively on the land. This was not all: the landed interest were obliged to furnish the means of forming roads, bridges, and all public buildings, and to indemnify the owners of property for all losses occasioned by the riotous proceedings of distressed manufacturers. So that the landed interest was subjected to exclusive taxation amounting to more than 50 per cent on the value of the rent. It was under these circumstances that the present measures were brought forward, and discussions elicited which were more mischievous even than the measures themselves. He begged the noble earl to recollect the language which he held in 1815, when he supported the Corn-laws. He then said, that he supported those laws because he wished to render this country independent of foreign supply, and by so doing to produce an equality of prices. Could the noble earl look to the increasing exports from Ireland, and say that at the present period the country did not produce a sufficient supply of grain? He wished to have an opportunity of supporting the noble earl; but that he had found it impossible to do, since the commencement of the session. The noble lord concluded with repeating his objections to the measures, and by expressing his conviction that if they should be carried, it would be impossible to come to the discussion of the general question of the Corn-laws with any chance of obtaining a fair decision upon it.

The Earl of *Liverpool* said, he felt it necessary to say a few words in answer to some part of the noble earl's speech. At the same time, he did not feel it necessary to touch upon many of the arguments of the noble earl, which, though they involved considerations of great importance, bore rather upon the general question of the Corn-laws, than upon the particular measures before the House. In the first place, he would tell the noble lord, who complained of the injurious effect which the present measures would have on the general question of the system of Corn-laws, that if any such effect was produced, it was the fault of those who opposed them. It was well known that, when the measures were first proposed in the other House, they were hailed universally, as well by those who supported the agricultural, as by those who supported the manufacturing interest. It was owing to the opposition offered to the measures in that House, that the opposition exhibited in the other House took place. Those who introduced the measures stated, that they were not intended to have any effect on the general question of the Corn-laws. The opposers of the measures, by putting it into the heads of people, that they were connected with the general question, had done that which they alleged ministers to have done. Ministers had declared that they intended the measures as temporary, and applied to a special purpose. The noble earl had gone into a long history of the Corn-laws previously to the year 1765, and since that period. He was not going to follow the noble earl through his statement, but he could not help observing, that the noble earl had omitted to notice, as the advocates of the agricultural interest always did, the great growth of the agricultural interest and increase of population since 1765, and to inquire, whether the increase of produce had been proportionate. The noble earl was not correct in stating, that previously to 1765 there were no great fluctuations in the price of grain. The fluctuations were considerable; of which he would give a few examples. Take the beginning of the last century. In 1707, wheat was 23*s.*; in 1708 it was 36*s.*; in 1709 it was 69*s.* 7*d.* In 1740, wheat was 49*s.* 10*d.*; in 1741 it was 41*s.* 9*d.*; in 1742 it was 28*s.*; and in 1743 it was only 22*s.* He did not state this as an argument for one system or the other; but merely to show, that there always had been great fluctuations in the price of this article of food. The noble earl had accused him of inconsistency in having supported the Corn-bill in 1815, and now advocating the present measures. It was true that he did support the Corn-bill of 1815; and he thought it a just measure on that occasion. He said then, that he wished Great Britain and Ireland to produce corn enough for their own consumption. He said the same thing and felt the same wish now, but he could not shut his eyes to the fact, that the imports of foreign grain proved that Great Britain and Ireland had not produced sufficient for their domestic consumption. Whether the growth of population had been more than proportionate with the growth of produce was a question which he could not undertake to determine. He supported an import price of 80*s.* in 1815; but, were we not then in extraordinary years—years of efficient harvests? But why did the noble earl as well as himself support an import price of 80*s.* in 1815? The noble earl was aware that, in 1813 and 1814, a member of the House of Commons, connected, he believed, with Ireland, introduced a corn bill, in which the import price was fixed at 120*s.* The House threw out that bill. Why did the noble earl agree to the import price of 80*s.*, but because he thought that it suited the then circumstances of the country? The noble earl went upon the principle, that the agriculturists ought to be protected up to a fair remunerative price, and he found that price in 80*s.* He was not now going to discuss the question, whether 80*s.* was at present a fair price; but, when the noble lord talked of the burthens to which the land was peculiarly liable, he thought it necessary to remind the House, that the property-tax, the agricultural horse-tax, the salt-tax, the leather-tax—all pressing on the landed interest,—had been repealed, whilst the taxes bearing upon the poorer classes, which had been repealed, were few in proportion. Could the noble earl deny, that at the present moment 60*s.* or 65*s.* was as fair a remunerative price as 80*s.* in 1815? He gave his support to both prices upon the same principle, that of affording a fair and equitable remuneration to the farmer; and, whenever the great question of the Corn-laws should come to be discussed, he should be prepared to advocate the same principle. He was prepared to agree with noble lords who advocated a fair remuneration to the agricultural interests; but he was equally prepared to say, that there were other interests which ought to be looked to, in order to guard the country against the perils and dangers to which she had recently been exposed. The noble lord had said that there were other measures of relief. He thought, however, that, in the present circumstances of the country, a more effectual one could not be devised. He had already said, that the price of corn was not the cause of the present distress. He repeated that statement. The cause of the existing distress he believed to be overtrading. To say, however, that the measures submitted to parliament were not measures of relief, was really laughable. They were most essentially measures of relief. Some noble lords contended that, as the manufacturing population was out of employment, and had not the means of purchasing bread, it was of no use to make that article cheaper, or to prevent it from becoming dearer; which was, in fact, the only object of the proposed measures. It might be true that some proportion of the manufacturing population could get no work, but the great mass were working at reduced wages—some getting 7*s.* per week, others 5*s.*, and some only 2*s.*, out of which, in many instances, large families were to be supported. Would any man tell him, that to these people it was of no consequence whether the quartern loaf was a shilling or eighteen-pence? The price of corn, he repeated, had nothing to do with the present distress; but that distress having been found to exist, it was important to find a remedy for it; and no remedy could, in his opinion, be more effectual than that which was proposed. But the noble lord argued, that there was no necessity for the measure, and that when the necessity did arise, it would be time enough to apply the cure. But, was it not the duty of government to provide against the contingency of a bad harvest? Could any noble lord, after leaving that House, sleep soundly on his pillow when he considered what might be the fatal effects of an unpropitious harvest? What, under the present circumstances of the country, could be more ruinous than such a result? Even in the most prosperous years the contemplation of a bad harvest brought with it the most distressing consequences. Last July, when not only the manufacturers were in full employ, but advertisements had been put forth, inviting labourers from Ireland, would not every noble lord have considered it his duty to guard, by every possible means, against the contingency of a bad harvest; if such had been apprehended, how much more necessary, then, was it to guard against such a contingency in the present circumstances of the country? The noble lord, however, said, "wait until the necessity occurs, then act upon your own responsibility, and afterwards come to parliament for an indemnity." He must, however, beg leave to say, that government had taken the wisest as well as the more prudent course. If they had adopted a different line of conduct—if they had refrained from calling for the previous approbation of parliament, what would be the result, supposing that a scarcity were to occur in the interval between the dissolution and the sitting of the new parliament. Ministers would, in that case be obliged to summon a parliament; and for what purpose? To enter into a discussion on the Corn-laws. Now, with reference to the interests of the agriculturists alone, what could be more injurious to those interests, than to have parliament especially called together, at a most inconvenient period of the year, for the purpose of discussing those laws? Again he said, that the proposed measures would not prejudge the general question. On the contrary, they tended to leave the questions more as it formerly stood, by removing an impression which might operate unfavourably. He was decidedly of opinion, that the executive government had done their duty by endeavouring to obtain a power by law, rather than assuming it against law. It was most fair and just, and becoming in a constitutional government, to come to parliament, and ask for that power, which every body admitted must be exercised, and every body said it would be criminal not to exercise.

The Earl of *Limerick* said he did not think that any necessity had been shown for the adoption of the measure. On the contrary, he considered it pregnant with mischief. He knew that it had excited great alarm in this country. In Ireland it had created the greatest confusion. He held in his hand, a letter from a gentleman, upon whose assertion he could rely, stating that a friend of his had a quantity of corn coming from Dantzic, the prime cost of which was 20*s*. a quarter, and which, including all charges, would be imported into this country at 40*s*. per quarter. He asked their lordships to consider into what distress the agriculturalists and landowners of this country would be plunged, if the price of corn should be reduced to so low a rate as that at which this foreign corn could be sold by the importer?

Lord *King* said, he would do the noble earl, at the head of the government, the justice to say, that that noble earl had made a stout defence in a bad cause. He had no doubt that that noble earl, with many others, would, in the next year, make a defence in the last ditch; but he trusted that such opposition would not induce parliament to stand in the gap between prosperity and a starving population. He congratulated the noble earl upon his success over his domestic enemies; and the noble earl, having set his House in order, might next year, with the certainty of success, proceed to the discussion of the Corn-laws. There were only two ways in which the proposed relief could be afforded to the manufacturing population. One was, by passing the bill now before their lordships, and the other, by his majesty's ministers acting upon their own responsibility in case of emergency. He preferred the mode adopted by his majesty's ministers, and he did so because it held out to the population the positive assurance that government would, if necessary, give them relief; whereas, if such a measure had not been brought forward, the manufacturing population would have been left in doubt as to the intentions of government. He knew many noble lords who were averse to free trade — many who were averse to free air (of which there was not then much in that House)—and many who were averse to free conscience. He was a friend both to free air and to free trade; and he trusted that the God above would give free air, and that his majesty's ministers would give free trade. He also looked forward to a better state of things, when men would enjoy free conscience. Many noble lords were averse to free trade; and at the close of the last war, propositions had been made to exclude all raw produce. One said, exclude butter; another said, exclude corn; another said, exclude wool — that was the codex agrestis of the hon. member for Somerset, and Suffolk, who joined in the cry, that this country ought to be a nation of sellers, and not a nation of buyers; but those who maintained that doctrine, did not state how a nation could sell, without buying something in return from the nations to which they sold. A question had been asked, whether this country could produce sufficient corn for its own consumption? No doubt this country could. But then another question arose—at what price could we produce that corn? How much labour and capital would be lost in producing this corn? When the good corn land should be exhausted, bad land must be brought into cultivation, at a great sacrifice of capital and labour. A noble earl had said, that he wished to renounce all paradoxes in the discussion of this question; but that noble earl immediately afterwards had said, that a low price of corn would be productive of general distress. That statement appeared to him paradoxical. He could not see how a low price of corn could be productive of distress to the consumer. On the contrary, he thought that, excluding foreign corn, and thereby compelling the consumer to pay a higher price than he could procure foreign corn for, was a tax upon his labour. They were told, that it would be a great misfortune to be dependent upon foreign supplies. He was satisfied, that those who made those statements were actuated solely by a wish for the prosperity of the consumer uninfluenced by any personal considerations. Those persons said—"Oh, if you allow foreign supplies, we must live like Dutchmen, dependent upon the other nations, who might, if they pleased, combine, and stop the supplies." In answer to that argument, he would refer their lordships to the period when Napoleon's power was at its height, and when he had opportunities (such as would probably never again exist) of injuring this country. What was the fact then? Foreign corn was supplied to this country upon paying a good price. Whilst it was the interest of the nations of Europe to sell their produce, there was not the most distant chance of a combination. One noble lord had urged, as an argument against this measure, that the land-owners paid the tithes; but he begged leave to inform that noble lord, that the tithe was as much paid by the consumer, as if the clergyman, after the loaf was purchased at the baker's shop, were to cut off one tenth part of it. He liked this bill, because it made an inroad upon the Corn-laws. He was glad to get at them in any way, or by any means; and he trusted that, next year, the call of the country for an alteration in those laws would be irresistible.

The Marquis of *Salisbury* said, he had voted upon the former occasion against the appointment of a committee; but, in consequence of what he had heard that night, he repented having given such a vote. This measure was now urged as a relief to the manufacturers, but he denied that it was any such thing, because any measure which would produce distress to the agriculturist must in the end be productive of distress to the manufacturer. With respect to letting out the bonded corn, he thought it a matter of little importance, except that it interfered with the principle of the Corn-laws, and as such he should decidedly oppose the measure. If ministers had taken upon themselves to allow the importation of foreign corn, they must, when they came to parliament for indemnity, have stated good reasons for having violated the law; but he was unwilling to give to ministers the powers required by them in the absence of all information, respecting the existence of an emergency to justify such a measure.

The Earl of *Carnarvon* observed, that, although there might be no great objection to the taking out the bonded corn, yet, if this measure was to be repeated, a temptation would be held out to the corn factors to overload the warehouses with foreign corn; and it would be injustice and ruin to them to refuse admission to it. Since the commencement of the present session, the measures of ministers had been calculated to prolong the distress of the country. The distress was, in fact, owing to the imbecile, wavering, and changeful measures of the government. None of those measures had been adapted to remedy the evils they professed to provide for. In consequence of this, the dissolution of parliament was looked to without regret by the country. It was his opinion, that the Corn-laws should be inquired into at once, and established on a solid foundation. For want of this, the country, during the intermission of parliament, would be left in a state of confusion. The speech of the noble earl opposite had been filled with false logic and panegyrics on ministers; at the same time that it was not very complimentary to the House, and held out a sort of threat. But, notwithstanding the taunts and threats of the noble earl, he hoped their lordships would do their duty, not from a sense of interest, as landed proprietors, but out of regard to the country. He objected to the measures before the House, because they were alike foolish and michievous.

Lord *Redesdale* objected to the measure, because the object of it was to impose a tax exclusively upon the agriculturist, for the relief of the manufacturer. He should have no objection to a general tax for that purpose; but he must protest against this partial tax. It was like stealing leather to make poor men's shoes. To ruin the agriculturists for the benefit of the manufacturers, would be to injure both classes, without relieving either. The first care in every country was the agriculture of it; from its agriculture its population arose—and from its population arose its manufactures. Thus, in the United States of America, where the agriculture was not restricted, the manufacturing classes were not numerous; yet those states were increasing in strength. And for what reason? Because their agriculture was encouraged. To cause distress among the agriculturists, such as had existed sometime ago, when the importation of corn had ruined more than half the farmers, could not be beneficial to the manufacturers. Yet the present measures were calculated to cause the diminution of the capital of the agriculturists—a diminution which would be felt, as well in the production of meat, as an article of food, as in the growth of corn. Their lordships were bound, therefore, to give protection to the cultivation of corn. Looking upon the subject in another point of view, he would ask, if some check ought not to be formed against the superabundant increase of the manufacturing classes? What caused the great distress prevailing in Ireland, a country blessed with fertility of the most extraordinary kind? The want of capital to carry on its agriculture. If, therefore, the capital of the agriculturists was reduced in this country, the injury to the manufacturers would be great in the extreme. What was the cause of the late agricultural distress? Nothing but importation, which had ruined many farmers, and in the county of Dorset had caused prices to fall one half. If there was any difficulty in this country supplying itself, it was entirely owing to importation. He had lately conversed with a gentleman who had made inquiries in different parts of the country, as to the means which farmers possessed of paying their rents. From this gentleman he learned, that out of two hundred capital farms not more than ten were fully stocked, and that one hundred were only half stocked. This want of stock must produce a defalcation of corn. Some noble lords thought that poor lands ought not to be cultivated. But, what would be the effect of throwing the poor lands out of cultivation? According to Mr. Ricardo, those lands included one half of the soil in cultivation. Their produce was, perhaps, one third of the whole produce of the country. By throwing those lands out of cultivation, the production of the country would be rendered less by so much than it now was. It was by cultivation that the country had been made to flourish, and if cultivation were discouraged, the injury would be irreparable. On this ground his objection to the measures was founded. A great deal had been said about free trade. For his part he was no enemy to it. It was good in theory, and would be so in practice if all countries would agree to it; but so long as Great Britain acted on that principle, and other nations did not, what was called free trade would be injurious instead of being beneficial to the best interests of the country. For these reasons he disapproved of the measure, and in case of the bill being read a second time, he should propose in the committee some modification of the most objectionable clauses, in order to protect the landed interest and the country against their injurious tendency.

The Earl of *Darnley* said, that the discussion had run, very unnecessarily, in his opinion, into the general question of the Corn-laws. Whenever that question came regularly before the House, and it could not, he thought, be longer delayed than the next session, the agricultural interest must make up their minds to considerable alterations. The system of prohibition must be relinquished entirely, and open ports, under a protecting duty, be established. He meant such a protecting duty as would be sufficient to place the grower of corn in this country, laden as it was with taxation, upon a footing of equality with countries less pressed upon by the demands for establishments, and the payment of interest on so large a national debt. He did not think that there was much probability of ministers taking upon themselves the responsibility of the measure for allowing the further importation of corn; as, unless there was a total failure of our harvest, of which at present there was no appearance, the provisions of that bill would be altogether inoperative. But, as it might do some good in quieting groundless apprehension, he should vote for it.

The Earl of *Malmesbury* said, he should not have again troubled their lordships had it not been for an observation which fell from the noble earl at the head of his majesty's government; namely, that these measures would have passed over with silence, unless for the opposition in that House. The opposition arose, on his part, from a wish to discharge his duty as a peer of the realm. He well knew what he had to contend against. Two great influences were opposed to him, but neither the "civium ardor prava jubentium," nor the "vultus instantis tyranni" should ever prevent him from expressing his sentiments. The noble earl was too good a scholar not to know that the last word did not mean tyrant solely, but any other person possessing power. It was true that he regarded his interests as involved in the question of the Corn-laws; and as such he was interested in the subject; but it did not therefore follow that he was unable to consult the interests of the country at large.

The Duke of *Somerset* opposed the motion, and wished an inquiry to take place into the subject of the Corn-laws generally.

The House divided upon the second reading of the Warehoused Corn bill. Contents 84; Not-contents 23: Majority 61. Another division took place upon the second reading of the Corn Importation Bill. Contents 78; Not-contents 28: Majority 50.

HOUSE OF COMMONS.

Friday, May 26.

Bribery at Elections.] Lord *John Russell* rose, in pursuance of the notice he had given, to bring forward certain resolutions framed for the purpose of repressing Bribery and Corruption at Elections. He had, he said, already brought the substance of these resolutions before the House; and as, on that occasion, the bill he introduced underwent a great deal of discussion, he should not think it necessary to enter at present into the same details which he had formerly stated. It might be remembered, that several objections were at first taken to that bill; and those he had endeavoured to obviate as much as possible in preparing his resolutions. Into the resolutions, in short, he had incorporated the matter of the original bill, and his object was, to enter them, in their present shape, upon the Journals of this House, so that they might stand for a rule and precedent for the future. In the year 1775, on the subject of a return which had been made for the Borough of Hindon, a resolution was agreed to, and recorded, importing that if any member should obtain a seat in that House by means of bribery and corruption, he should be subject to the several penalties. Now, that order was repeated to the present moment, at the beginning of every session; and in the same way the resolutions which he was about to propose might be acted upon. The practice of bribery at elections was a very notorious one; and one of the immediate grounds of the resolutions in question was, that he had been told by a gentleman of forty years' experience in parliamentary business, that it was a common practice in contested elections for some of the partisans of a candidate to hold processions, or public meetings, and to say that the candidate was "a gentleman," or to call him by some such distinctive appellation; and that, after the expiration of the fourteen days, during which, an election petition against him could be presented by the other party, he would come forward and pay all his supporters. He was informed, on the same authority, that money was accordingly paid, on such occasions, and receipts regularly taken by the agents of the candidates. While such practices notoriously subsisted, it was absurd and ridiculous to keep upon their books a resolution so utterly inefficient as that had proved to be which he had just alluded to. He would now conclude by moving,

"1. That whenever a petition shall be presented to this House, after the expiration of the time allowed for presenting petitions against the validity of the return of any member of this House, by any person or persons, affirming that, at any time within eighteen calendar months previous to presenting the said petition, general bribery or corruption has been practised, for the purpose of procuring the election or return of any member or members to serve in parliament for any borough, cinque port, or place, and it shall appear to the said House, that such petition contains allegations sufficiently specific to require further investigation, this House will appoint a day and hour for taking the said petition into consideration, so that the space of twenty days shall intervene between the day on which the said petition shall have been presented, and the day appointed by this House for taking the same into consideration; and notice of such day and hour shall be inserted, by order of the Speaker, in one of the two next London Gazettes, and shall also be sent by him to the returning officer of the borough, cinque port, or place, to which such petition shall relate; and a true copy of such notice shall by such returning officer be affixed to the door of the town hall or parish church nearest to the place where the election of members to serve in parliament for such borough, cinque port, or place, has been usually held.

"2. That at the hour appointed by this House for taking such petition into consideration, this House will proceed to appoint a select committee to inquire into the truth of the matters contained in the said petition, and report the result of their inquiry to this House; and such select committee shall consist of thirteen members, to be chosen by lot, according to the directions, provisions, rules, and regulations, and subject to the exemptions for choosing forty-nine members by lot, contained in the various acts to regulate the trials of controverted elections, or returns of members to serve in parliament, so far as they are applicable thereto, and of two other members to be appointed by this House, out of the members then present in this House; and the thirteen members so chosen by lot, together with the two members to be so appointed by this House, shall be a select committee, and shall inquire into and try the matter of such petition, and shall report their opinion thereof, together with the evidence given before them, to this House.

"3. That this House will not appoint such select committee so long as any trial is pending before a select committee of this House to try the validity of the return, or so long as a day is named in the orders of this House for appointing a select committee to try the validity of the return, for the borough, cinque port, or place, to which the petition refers."

The first resolution being put,

Mr. *Wynn* said, he did not, in the slightest degree, take any objection to the principles of the resolution, so far as it went to pledge the House to punish any gross case of bribery or corruption. He had always felt that it was the first duty of the House to proceed to remedy any abuses when they were fairly brought before parliament, and proved to exist. He thought it not at the present moment desirable to enter into any general inquiry into the subject, for the constitution had already provided a sufficient remedy against corruption and bribery, by giving parliament the power to punish whenever any specific case of abuse was brought before them. He doubted very much whether the tribunal proposed by the noble lord was better adapted to his object of suppressing bribery than that which already existed. Alluding to the recent case of Grampound, which had been met by the severe displeasure of the House, he thought that when the voters had been convicted by a jury, the House ought to receive a petition, at any time, upon any member's alleging the circumstance, and stating that he could lay such evidence before the House as would constitute sufficient grounds of inquiry. There could be no doubt that any such case of abuse as that alluded to was a serious breach of the privileges of the House; and it might be a question, whether the case should be examined at the bar, or be referred to a Committee of privileges. He could conceive a great many different cases, in which any one of these remedies would be more proper than that now proposed by the noble lord. The judgment passed by the first mode would be final, but the committee proposed by the noble lord's resolution would be simply a committee of inquiry, without any power but that of procuring evidence for the House, which the House might determine to be sufficient or not. He trusted the noble lord would not press the question, but allow it to be carried to the next parliament. Where the decision of a committee was not final, he did not approve of appointing a committee. A select committee would be as satisfactory a mode as that proposed, and the noble lord's plan would prove detrimental, and would operate as a discouragement to bring cases before his tribunal. He was quite aware of the abuses which the noble lord pointed out, and particularly that of distributing money after the expiration of the fourteen days. The best way of checking such a practice would be, to bring a specific case before parliament, which might be visited either by a prosecution by the attorney-general, or, if the corruption were very general, it might be punished by a disfranchisement. He thought it would be better if the noble lord, instead of pressing his resolutions at this late period of the session, were to give notice, that if any gross case of corruption should in future arise, he would bring it before the notice of the House. He would therefore move the previous question.

Mr. *W. Smith* said, that the noble lord's object was chiefly to extend the term of inquiry into cases of bribery beyond its present insufficient limit, and he should therefore support the motion.

Lord *J. Russell* said, that there were certainly other modes than the one he proposed for correcting the practice of bribery; but, in spite of such modes, it was notorious that bribery was practised with impunity: it was therefore evident, that other remedies ought to be adopted. The resolutions did not pledge the House to any thing dangerous, for it would be in the option of any member hereafter to object to them. As to his bringing forward the motion in the next session of parliament, he was by no means certain of having the honour of sitting in the new parliament.

Mr. Secretary *Peel* advocated the delay of the consideration of the resolutions until next session. The motion was one which was well worthy the consideration of the House; but it had not attracted a sufficient share of attention to enable members to vote with a due regard to all the bearings of the question. The Grenville act, though its operation was to be but temporary, had excited great discussion; and he did hope that less consideration would not be given to such an important measure as the present. Besides which, the resolutions were of so important a character, that full effect could not be given to them but by a legislative enactment, which could not take place till the next parliament. He did not consider the last day for business a fit moment to bring forward resolutions which were to bind future parliaments. He, therefore, trusted that the noble lord would not press his motion to a division.

Mr. *Warre* said, that when his noble friend had come down to the House with a bill he was told that his object would be better answered by proposing a resolution, and now he proposed a resolution, he was told that his best course to pursue would be to bring in a bill. The existence of the most gross and criminal corruption was notorious and undenied; and it was known to be the practice of members to settle their bribery accounts at the end of fourteen days after the meeting of parliament, when the forms of the House prevented any investigation into the transaction, or punishment of the delinquency. It was very difficult to establish a case like that of Grampound, and which was substantiated only by the bribed parties squabbling amongst themselves. Grampound had been disfranchised after a severe struggle; but how many notorious cases were there, where the parties could not be brought before a court of justice? But why should the House pretend to punish a crime which they refused to check by any efficient preventive laws? Until these worst of practices were checked, the parliament was distinctly sanctioning the guilt which they pretended to punish. He wished to ask the following question of the President of the Board of Control. Suppose this resolution should not be acceded to, and no bill should be passed on the subject, could any petition be presented to the House complaining of the mal-practices he had mentioned after the expiration of the fourteen days?

Mr. *Wynn* observed, in explanation, that after a lapse of fourteen days from the return of a member, no petition could regularly be entertained, impeaching the validity of such a return; but still the House had the power of investigating any charge specifically alleging a corrupt distribution of money to the voters; and it was a charge which it would be incumbent on the House to enter into, as it involved a gross breach of privilege; and if it were to be made out to the satisfaction of the House, the House would consult its dignity by ordering the attorney-general to prosecute the offenders.

Lord *Milton* said, there had been an impression throughout the House, that not only was the time for presenting an election petition limited, but that the limitation included all petitions which referred to the practices of bribery in boroughs. The bill brought in by his noble friend related, not to the removal of the sitting members, so much as to the general practice of bribery and corruption. He could not help thinking, that the conclusion of the session, and just before a general election, was precisely the period at which to pass such resolutions. If the motion was put off till next year, parties likely to be affected by these resolutions might say, that they had not received due notice of the intentions of parliament. He did not say that such an argument ought to have the effect of stopping proceedings in that House; but it might have the effect of leading many to view the conduct of delinquents with a more lenient eye than, under other circumstances, they would be inclined to do.

Mr. *Lockhart* was of opinion, that the words of the resolution were not sufficiently comprehensive, so as to reach every species of bribery. He referred to the practice of giving money to electors after the election was over.

Mr. *Brougham* said, his hon. and learned friend did not pretend to deny, that giving money after elections, without any previous promise to that effect, was not within the bribery laws. Such a proceeding would certainly be an act of bribery, and it would, upon evidence, appear whether it was so far connected with the election as to affect the vote. He could not help thinking with the noble member for Yorkshire, that if the sanction of the House was given to these resolutions great good would be produced by them at the approaching general election. We were at this moment at a most delicate crisis. The machinery of corruption was already at work. Its sources were gathering; and the means were forging for carrying it into effect. At such a period the resolutions must be productive of much good. He called upon every hon. member, as he valued his own interest, to give his vote in favour of these resolutions, as the surest and most effectual means of preventing the engines of corruption from being turned against himself.

Mr. *Hume* said, he had that day received a letter, in which it was stated, that a seat for a borough might be obtained, if the candidate was willing to spend 3,000*l.*; that the usage, for the last twenty years was, to give each man 5*l.* for his vote, which amounted to 2,500*l.* The other 500*l.* went in expenses [a laugh].

Mr. *Hudson Gurney* said, he should certainly vote for the previous question, he could not conceive any thing more impracticable and inconvenient, than the machinery recommended in the noble lord's resolutions; nor any thing less likely to effect the object he had in view. In the place of these resolutions, he would recommend the noble lord to take in hand the revision of the Bribery and Treating acts, which, as they at present stood, were perfectly absurd—either inoperative, or just in the extreme. The noble lord himself did not know, in his own election for Huntingdonshire, what charges were and what were not lawful for him to pay. There was not a member in that House who did not pay for his seat, either in meal or in malt; or somebody for him.—[No! no! and loud laughter]. The hon. member proceeded. As the bribery laws were framed, no man knew whether he was violating them or not, or rather it was impossible not to violate them, or to steer clear of the risk of having them violated under his name, however anxious he might be to avoid either the one or the other.

Mr. Alderman *Wood* was surprised at the most extraordinary assertion made by the hon. member for Newton. That bribery and payment for votes took place in many districts was very probable; but it was too bad to say that it existed in all. For himself, he could assure the hon. member, that he had been three times returned for the city of London, and that he never paid either in meal or in malt; nay, that he never expended a single shilling in coach-hire or otherwise towards his election. He had been frequently applied to by out-voters as to whether he would pay their expenses to town, but his uniform answer was, that he never paid one shilling of the expenses of his election, not even so much as a bowl of punch, the price of which, perhaps, the hon. member would understand. The only expense incurred at his election arose from advertisements, and the hire of a committee-room for a few days. He did not think such an assertion could have come from any but the representative of a corrupt borough.

Mr. Serjeant *Onslow* said, he had heard with surprise the declaration of the hon. member for Newton.

Sir *R. Wilson* most solemnly declared, that he had never paid for his seat in meal, and he was quite sure that his hon. colleague never paid for his in malt. He had now been twice elected, and it was much to the honour of the six thousand electors of Southwark, that he had never paid a single shilling, directly or indirectly, towards his election. And he was sure that, if the hon. members for Westminster were in their places, they would say as much for their constituents. It was the duty of the House to carry these resolutions by a large majority, to shew that they were in earnest in their endeavours to put down a system which had so long disgraced this country.

Sir *M. W. Ridley* rose, to suggest the best mode of shortening this debate. He would advise every member, who felt the unmerited imputation cast by the hon. member's statement, to vote in favour of the noble lord's resolution. He repelled the accusation as far as he was personally concerned, and he called upon those who felt with him to vote with him also.

General *Gascoyne* said, he had had the honour of being returned six times to parliament for the town of Liverpool, and he solemnly declared, that upon no occasion had he been called upon to pay, directly or indirectly, a single shilling for his seat. He thought that declaration due to the people of Liverpool. At the same time he felt bound to give his support to the resolutions of the noble lord.

Mr. *F. Palmer* denied that he had ever paid for his seat in any way. His committee sat every Tuesday for the last three months, and if the hon. member for Newton would only pay them a visit next Tuesday, they would give him such a lesson about purity of election as would induce him to change his opinions.

Mr. *T. Wilson* agreed with the hon. member for Newton, in thinking that it was difficult for any man to say, when he did or did not infringe the bribery laws. He also agreed with his hon. colleague, that there was no such thing in the city of London as bribery or corruption. He believed, nevertheless, that a person might offend against the law without knowing that he did so. With respect to the offer of a seat, mentioned by the hon. member for Aberdeen, he thought that it must have been a hoax played off upon him; for, considering that the hon. member was such a strenuous advocate for purity of election, he was likely to be the last man to whom such an application would be made.

Lord *J. Russell,* in reply, thanked the hon. member for Newton, for having made a speech so well calculated to support his resolutions. If corruption at elections was so general, as to be supposed by the hon. member universal, there needed no stronger argument in favour of the course which he called upon the House to pursue. He wished the hon. member had attended the last meeting of the electors of Westminster, and they would have shown him that the people only sought able and honest representatives, and having these, the expense of their election was nothing. In answer to what had fallen from the right hon. gentleman, as to the lateness of the period when these resolutions were proposed, he had only to observe, that they had been in substance, before the House, in the shape of a bill, since the commencement of the session. He pressed them forward now, not because he thought them perfect, or incapable of amendment, but because he thought them necessary to check the progress of corruption at the approaching elections.

Mr. *H. Gurney* said, he wished to be permitted to offer a word in explanation of what had been so much animadverted upon. In stating that there was no election free from the charges of corruption and bribery, he did not mean to pledge himself so much to their actual existence, as to their constructive existence under the interpretation of the bribery laws. In fact, as the laws stood now, no one knew what was, or was not bribery.

Mr. *Grenfell* said, he could put his hand to his heart, and declare that he had never resorted to any means of getting into that House of which he could possibly be ashamed. However, as he was told that practices did exist at elections, which ought to be reprobated, he thought it his duty to express his disapprobation of them by supporting this resolution.

The House divided: For the resolution 62. Against it 62. The numbers being equal, the Speaker stated, "that it now being his duty to give his vote, and considering the proposed Resolution as merely declaratory of what are the powers and what is the duty of the House, and that any inaccuracy in the wording of the resolution might be amended when in the new parliament, it must be re-voted, he should give his vote in the affirmative."

The other resolutions were then put, and agreed to.

List of the Sixty-two Members who voted for the Resolution.

Abercromby, hon. J.
Allen, J. A.
Barnard, lord
Bentinck, lord W.
Benyon, B.
Bernal, R.
Bright, H.
Brougham, H.
Buxton, T. F.
Calcraft, J.
Calvert, N.
Carter, J.
Cripps, J.
Denman, T.
Ebrington, lord
Ellice, E.
Fitzgerald, M.
Folkestone, lord
Gascoyne, gen.
Gaitskill, W.
Gordon, T.
Grant, J. P.

Grattan, J.
Grenfell, P.
Handley, H.
Honeywood, T. P.
Hulse, sir E.
Hume, J.
Knight, R.
Lamb, hon. G.
Lethbridge, sir T.
Lloyd, sir E.
Lockhart, J. J.
Lushington, Dr.
Maberly, J.
Maberly, J. L.
Martin, J.
Maule, hon. W.
Maxwell, J.
Milton, lord
Normanby, lord
Onslow, serj.
Ord, W.
Palmer, C. F.
Parnell, sir H.
Philips, G. jun.
Powlett, hon. W. J.
Robarts, A. W.
Scarlett, Jas.
Sebright, sir J.
Smith, W.
Stanley, lord
Tavistock, marquis
Tierney, rt. hon. G.
Tremayne, J. H.
Tulk, C. A.
Wood, Alderman
Williams, sir R.
Wrottesley, sir J.
Warre, J. A.
Wilson, sir R.
Wharton, J.

TELLERS.

Ridley, sir M. W.
Russell, lord John

List of the Sixty-two members who voted against the Resolution.

Alexander, Jas.
Attwood, M.
Bankes, H.
Bankes, G.
Baillie, col. J.
Balfour, John
Blair, J.
Bonham, H.
Cawthorne, col.
Chichester, sir A.
Clerk, sir G.
Cockerell, sir C.
Cocks, J.
Croker, J. W.
Divett, T.
Douglas, W. K.
Downie, R.
Dundas, rt. hon. R.
Egerton, W.
Estcourt, T. G. B.
Fitzgerald, V.
Forbes, sir C.
Gilbert, D.
Grosset, J. R.
Gurney, H.
Hill, sir G. F.
Holmes, W.
Horton, R. W.
Huskisson, rt. hon. W.
Irving, John
Knox, hon. T.
Lewis, F.
Long, sir C.
Lowther, T.
Lushington, Dr.
Lushington, col.
Montgomery, gen.
Ommanney, sir F.
Palmerston, lord
Peel, rt. hon. R.
Penruddock, J. H.
Phillimore, Dr
Plummer, John
Robertson, R. C.
Robinson, rt. hon. F.
Ross, C.
Sandon, lord
Scott (of Roxborough)
Somerset, lord G.
Townsend, colonel
Trant, W. H.
Twiss, H. T.
Warrender, sir G.
Wetherell, sir C.
Wilson, T.
Wodehouse, E.
Wortley, Stewart
Wynn, rt. hon. C.
Yorke, sir J.

TELLERS.

Goulburn, rt. hon. H.
Herries, J. C.

STATE OF THE CURRENCY.] Mr. Secretary Peel brought up the Report of the Select Committee on the Banking System of Scotland and Ireland. On the motion, that it be received,

Mr. *Tierney* rose, pursuant to notice, and said, that, as the report now brought up involved the consideration of that system which had been recommended to parliament at the opening of the session, he wished to have an opportunity, as briefly as possible, of stating his opinions upon the subject. The House would not fail to remember, that one of the very first points in the King's Speech, at the commencement of the session, had been a recommendation to the House to lose no time in taking steps to place the currency of the country upon its ancient high foundation; and, in consequence of that recommendation, certain measures had been brought forward by ministers, founded on those principles upon which he understood lord Liverpool to have acted. For his present purpose, he would take the tendency of those measures, chiefly from the details of the letter transmitted by the earl of Liverpool, and by the chancellor of the Exchequer, to the governor of the Bank of England—a document which explained the grounds upon which it had been recommended to parliament and to the country to proceed upon the question. In that letter it was first declared, that a great portion of the distress and difficulty under which the kingdom laboured had been produced by over-trading. How far he had agreed in that statement, or not, it was not necessary now to discuss; because, let the distress have arisen from what cause it would, he had coincided in the course proposed for relieving and preventing its recurrence; and the remedy brought forward with that intent by the earl of Liverpool was the getting rid, within a limited period, of the one and two pound notes out of circulation; in addition to which, with the concurrence of the Bank of England, that body were to establish branch banks in different parts of the kingdom; and to wave so much of its exclusive privilege as prevented the formation of private banks with more than six partners within sixty miles of the metropolis. Now, he hoped that the House understood clearly what it was that they were called upon to adopt, as a remedy for those distresses which so cruelly pressed upon the country. Nothing could equal the vigour with which lord Liverpool had set out in his plan. Not a moment was to be lost—not even for inquiry; but the further issue of stamps for one and two pound notes was stopped by a course absolutely illegal. He begged not to be understood as complaining of that violation of the law. Approving, as he distinctly had done, of the main measure, he thought it quite right that the House should shut its eyes to the somewhat irregular manner in which that measure had been carried into effect. In fact, however, an order had been sent off to the Stamp-office, by which the possibility of any addition to the existing stock of one or two pound notes was prevented; and the next step was, to bring a bill into the House to prevent the circulation of any one or two pound notes after the month of April 1829. Upon the expediency of these measures a variety of opinions had prevailed; for himself, he had believed, that his majesty's ministers were acting upon a sound principle, and therefore he had given them his support. In doing this, he had executed an unpleasant duty; because the measures seemed to wage war against a most respectable and honourable body of men. Towards those persons, he entertained no ill feeling, and all he could say was, that in what he had done, he had thought that he was acting for the best. Were the matter to come over again, he should again take the same course, with all that he had seen of its operation, up to the present stage, at least, of the business. Thus far, then, all the measures of ministers had gone on smoothly, until an hon. member, not now in his place, suggested that, although the country banks were restrained from any further issues of small notes, the Bank of England should be allowed, for the general convenience, to continue such issues. At first, ministers had been steady to their system, and resisted that proposal; but in a week their courage seemed to evaporate, and they assented to it. Now, if the Bank of England, as had been promised, would have confined itself to the smallest possible issue of these one and two pound notes, issuing no more than were absolutely necessary to meet any temporary deficiency in the quantity of circulating medium, this measure might not have done much mischief. But, he believing that the Bank would do no such thing; that, on the contrary, they would consult their own interest, by pushing out their notes to the very utmost of their power; had taken it to be a measure likely to produce very considerable disadvantage. At the same time, it was but a modification—though an unlucky one—of the original plan which he had considered to be sound; and therefore, though he disapproved of the alteration, he had continued to give the government his support. Under these arrangements all, then, had gone on well, until the physic which was found so wholesome for England was about to be administered to Scotland. Of Ireland, at present, he said nothing; because he understood that the report contained very little upon the affairs of that country—a mere outline of some plan, subject to the reconsideration of a committee in the next session. But, with respect to Scotland, the case was widely different. Since the rebellion of 1745, such a combustion had never, he believed, been raised in that country, as the very first mention of touching any of her banking institutions had created. And this fact was the more extraordinary, because all the Scotch members, except one,—every soul of the forty-five, except his hon. friend near him (Mr. Hume),—had concurred in the plan of ministers for introducing that abolition of one and two pound notes into England, which they so vehemently—nay, so furiously deprecated, when the benefits of it came to be extended to them at home. Nothing could exceed the firmness with which the Scotch members had supported the new system, until they found it approaching their own doors; but then, if the House had been attacking all the rights of Scotland in one single measure, the cry of alarm—the call to resistance—could not have been greater. The effect of the first demonstration was magical—such as he had no powers of eloquence equal to describe. The great Unknown's well-known picture of a "Gathering"—an arrangement in which, by the exertions of a single man speeding from House to House with a signal, a whole clan was mustered, and every individual at his post in half an hour—was the only recorded process, the effect of which seemed at all to approach it. In one fortnight only, petitions had been presented from all parts of the country, against the projected alteration; the hubbub had been curious—nay dangerous—for there had absolutely been hints of resisting it by actual violence. He had supported ministers in the beginning, because he hoped that they were acting upon a steady system; but the truth was, they had been acting upon no system at all, but upon measures of expediency from day to day. Would any man believe, who did not see it, that, after the declarations which had been made, the acts which had been performed, in the first part of the present session, as regarded the system of currency in England, the last day of the session should produce a report admitting the principle of what ought to be done in Scotland to be entirely different? "In England," said the earl of Liverpool, in the beginning of the session, "let us take the earliest steps towards adopting a system by which gold shall be enabled to drive out paper." The very last step of the session was, as regarded Scotland, to recognize a system which was to make paper drive out gold. In Scotland, men were to go on as they had done. At least, as regarded Scotland, it was necessary to inquire. Why was it that we had had no inquiry in England—that we had been so sure as to be able to run before the law, not lag behind it? The plain truth was, that the tried prudence—the approved integrity—of our Scottish neighbours—in impeachment of which prudence or punctuality, far be it from him to say one syllable—that these great qualities shed such a degree of sanctity over all their arrangements, that the least of them could not be meddled with without deep inquiry; while, in England, without any inquiry at all, but by the mere strong arm of the law, and almost by the strong arm without it, we put a change into instant operation, which had been felt from one extremity of the kingdom to the other. For there could be no question, that the first part of the late measures had been hastily brought about. No one could doubt that to touch the currency, in the way, and at the time that we had touched it, was likely to be attended with prejudicial consequences. He had supported the measure, because he thought it right—sure to be eventually beneficial—though severe; but he had supported it as a measure for the whole of the country, not one which was to press upon a part of it. But, after the measure was passed as to England, it turned out that with the treatment of England we were to pause. We came to Scotland, and she claimed as a right—demanded almost by dint of menace—that her currency should not be interfered with, but that she should be allowed to go on as she thought fit. He desired not to be misunderstood. [Some slight interruption had occurred from an hon. member on the ministerial side.] He knew his hon. friend opposite would be the last man to put an exaggerated construction upon his words. But, in truth, he used the term "menace"—his hon. friend would recollect that there had been some mention, with reference to this question—of the "claymore." The ground, however, upon which this exclusive right for Scotland was set up, as far as he understood it, he took to be this—that Scotland, for a long series of years, had acted upon the principle of entirely excluding the precious metals; that no inconvenience had been found to result from this system, but that on the contrary the trade and commerce of the country had flourished under it. Now, the long continuance of this system, he could not admit to be a powerful argument for its further continuance; because it must be remembered, that allowance had to be made for the difference between what Scotland was when that system had commenced, and what Scotland was at the present moment—that what we had connived at, or even encouraged, in a poor and rising country, might be outrageous, as claimed by a country as rich and thriving as ourselves. To Scotland, while she was a poor country, every aid that could be given had been most important, but Scotland now was a poor country no longer: on the contrary, there was no country in the world which, during the last thirty years, had made such progress in wealth and prosperity. He stated this fact with the highest possible satisfaction; feeling as he did, that every thing which added to the prosperity of Scotland, added to the strength and to the prosperity of England; but then, it was only fair to demand, in return, that Scotland should identify our welfare with hers; and not, when we were about to make a change which seemed highly important to the common good, turn against us. And as for the operation of this system which was so much relied on—Scotland's prosperity had not been got up, it must be recollected, merely by the advantage of her banking system. There was another source of advantage from which wealth had been showered into her lap. Let the House recollect the wealth which had been poured into Scotland from India. All the gentlemen who went from Scotland to India—he spoke it to their credit, to their honour, all felt a desire, if they returned and indulged that desire, to settle in their native country. If the witnesses who spoke in such warm terms of the gains which Scotland had made by her system of banking, were asked, whether she had gained most by her banking system, or her returns from India, he suspected the scale would turn in favour of the latter.—

Then, to prevent those inconveniencies which had arisen under our own system, the second part of the measure proposed by ministers gave the same power of forming banks with an unlimited number of partners in this country, as already existed in Scotland: so far, therefore, the two countries would be placed upon a level; but, the moment we attempted to touch the question of the Scotch issues, the cry raised was—Will you attack a system under which we have thriven? Now, no doubt the system was a profitable one; for, nothing but paper being ever seen in Scotland, the whole real capital of the Bank of Scotland was employed here in England, and all that was got into use in Scotland—being, in fact, only so much credit—was clear gain. No doubt, therefore, that system was profitable to the individuals; and the process by which it was kept up—the scheme of what were called "cash credits"—he would endeavour shortly to explain. A "cash credit" was this: suppose any man beginning the world—a tradesman—found it would be a great advantage to him to have a 100*l.* at some bankers, which he could, if necessary, apply to his own use. Under these circumstances, without any deposit of his own, he procured two sufficient friends to become responsible for him; and any bankers would then place his name upon their books for this sum, of which he might draw the whole, or any portion, when he pleased; subject to the stoppage of this credit, either by the persons who gave it, or by the bankers themselves, in case they became dissatisfied with the appearance of their security. In addition to this, the borrower had the further advantage, that, in drawing out and paying back what sums he pleased, he only paid interest, to a farthing, at any time for the sum which he had actually in his hands; but, to sustain a scheme of this kind, it became necessary to exclude all coin from circulation; and the practice accordingly had constantly been that, if a trader received ten guineas in his business, he directly carried them to his bankers, and received ten promissory notes in exchange. Nothing, however, could be more clear than that, in upholding a system like this in Scotland, we acted entirely in the teeth of what we were doing at such a present sacrifice of public convenience, in England; because the boast of Scotland was, that by these "cash credits," she excluded gold entirely from her circulation—excluded that currency entirely, to which we were desirous entirely to return. There were six-millions of "cash credits," existing in Scotland; no doubt arrangements of great convenience to those who possessed them, and which would be regretted by those who had to give them up. The other forms of banking in Scotland were similar to those of this country; with the exception, that an interest of 4 per cent was allowed on all monies lodged, and 5 per cent charged for deposits. This was calculating at a high rate of interest for money; probably, when the value was lower, the rates, instead of 4 and 5, would be 3 and 4. But then, although all this, no doubt, was very advantageous to the good people in the north, what reason in the world was there that, because any gentleman happened to live in Scotland, he should possess all that exclusive privilege above his fellows? It seemed as though persons fancied, that it was quite sufficient to justify their retaining any exclusive privilege, if they could show that they were gainers by it. Scotland might be a gainer; but the rest of the country would lose very materially by the continuance of this exclusive privilege. Because, if a metallic currency was the best—the most desirable—the safest, still it was by far the hardest to be got at. If it was advisable to have it at all, it ought to be universal; otherwise, one man had the better of another, by law, in the same community. Can any man (continued Mr. Tierney) assign a single reason why Scotland is to be so peculiarly favoured? Why is she to be allowed to continue a paper circulation, while England suffers so severely, and meets with so many obstructions in her march to the goal of a metallic circulation? This cannot be called acting on a system. It may be right, or it may be wrong; but no man can deny that lord Liverpool is blowing hot and cold, when he pretends to put the currency of the empire on a solid and secure basis, and yet does all in his power to make that basis, in Scotland, unsolid and insecure. I dare say, when the report comes to be read, it will be found fairly drawn up; I have every reason to believe it; but I will venture to say, before it is read, that it contains materials for a manifesto in favour of a paper currency, from one end of the kingdom to the other. No more effectual method can be taken than by the publication of all the evidence. Ministers lay it down for a rule, that there is nothing so good as gold; but, read the report, and the world will be satisfied that there is nothing so good as paper. This is really the result of the investigation; and before next session we may depend upon having a cloud of pamphlets upon this long-disputed question. "Paper against Gold," and "Gold against Paper," will flourish on hundreds of title-pages, and happy the man who never reads a line further. The temper of the country will be fully tried upon the question, and the minds of the people may very reasonably be turned either way, when they see that the king's ministers do not know which way to turn their own. After being driven and goaded into a metallic currency, we are to be told at last, that we ought, for all purposes of profit and convenience, to prefer a paper circulation. No man can think of the return to a paper circulation with more horror than I do; I know that wise and well-informed men differ from me; but upon that point I am more obstinate than on any other, although I affect to know no more, and to see no further, than my neighbours. On this subject, I have uniformly resisted the projects of Mr. Ricardo and other political economists; and I shall persevere in my resistance. Coin and paper cannot travel in company; and I lay it down as indisputable, that if there be in circulation at the same moment a piece of paper of the denomination of twenty-shillings, and a piece of coin of the same actual value, the coin will very soon be missing.—There can be no doubt, but as soon as the metallic currency shall have been introduced, if it can be introduced at all, there will arise a strong inclination in many quarters to resort to any thing that may produce a rise of prices. And how is that to be done? Why, by recurring again to a paper circulation. "See what advantage Scotland has by her paper," will be the general cry. "Remember how happy we were during the war with our paper circulation. We must have the price of our corn raised to a fair amount of remuneration, and for that purpose we ought to have the same advantage as they have in Scotland." And then I ask, whether, if the Bank of England does not continue to issue small notes, while such notes are allowed to be freely issued in Scotland, you can go on for two years together? I hold it to be utterly impossible that you can; and the result will be, not that Scotland shall be assimilated to England, but that England shall be assimilated to Scotland. The forty-five gentlemen of the North will, after this, find a great number of coadjutors. The English country gentlemen will say, "Why do you refuse us the same advantages which you allow to the gentlemen of Scotland;" and what answer can we give to that? "You see," they will say, "how Scotland is flourishing under the small-note system, and why should we not also have the benefit of small notes?" If you are of opinion that it is expedient that Scotland should have a paper circulation of this kind, why should it not be expedient for England likewise? It will be very difficult to give a sound and rational answer to such expostulations. And, again, suppose a war should arise, in what situation shall we then be found? The consequence will be, that having done nothing in the last years of peace for the placing of our currency on a solid and secure foundation, we shall be compelled to engage in the war with the state of our circulation in the utmost confusion: and foreigners will look with contempt on our financial knowledge and regulations; for foreigners understand the state of our currency, perhaps, in some instances, better than we do ourselves. Some foreign nations, at least, understand the proper measures to be adopted with respect to their own circulation, better than we understand the proper regulations which ought to be applied to our circulating medium. Look at the condition of France in this particular, every thing perfectly regular—the gold and currency plentiful without excess—nothing doubtful—the Bank accounts submitted to public view without the least disguise; and all this while we are involved in a series of vacillations, doubts, and difficulties. It cannot be otherwise. The only question is, what are you to do in 1829? Are you about to restore a metallic currency, or are you to retrace your steps and resort to paper? That will be the difficulty; and, from the course you are pursuing, the latter alternative is most likely to be adopted. I say so, because I think that will lead to much more important consequences than gentlemen are at present aware of; since it is clear, from these proceedings, that you are not prepared to follow up your own act, by reverting to a sound and solid state of currency.—The right hon. gentleman went on to observe, that this was a question of the utmost difficulty, and one that required the most serious attention. It was on these grounds that he called the attention of the House to this report; because it appeared to him to be fraught with circumstances more important, and of deeper interest to the country, than he could easily describe. He knew of no subject that was better calculated to arrest the attention of parliament, or that called more loudly for serious consideration than that report. And why so? Because it was the last act of the present session of parliament; and because they had been led to believe, that the inquiry on which it was founded would have placed the currency on a settled system. He had but one or two other points to touch upon. It was much to be regretted that the earl of Liverpool had undertaken to do that, with the details of which he was not well informed, before he undertook it. He (Mr. Tierney), in forming an opinion on that subject, must depend on any casual information he could collect: and, if he were wrong, his error might be attributed to the ignorance consequent on his situation. But the case was different with the earl of Liverpool. He was a minister of the Crown; and, before he took any step, he had it in his power to consult the highest authorities in the kingdom. He might send for them, examine them, receive from them the most extensive information on this important question. What had the noble lord proposed? He suggested, that the Bank should establish branches in different parts of the country; and he (Mr. Tierney) agreed in the propriety of such a measure. It would be a most excellent thing if such branches were established. But the fact was, that the earl of Liverpool never understood the intention of the Bank from that day to this. Instead of coming to a clear understanding, there had been much squabbling, and much asperity of expression, between the government and the Bank, from that time to the present; and if the latter did not choose to agree to the proposition, things in that respect must just remain as they were. Here government appeared to him to betray a want of firmness. It was very unfortunate that, having brought matters to a certain point, ministers did not adhere to their first intention. He did not wish to see measures precipitately brought forward, but, when once introduced, he thought the minister ought to stick to them. The sort of minister he liked, was one who would say, "I know what is to be done, and it shall be effected." The contrary course—a course of vacillating policy — always destroyed confidence. Now, what was the end of all this? Why, that the Bank of England had one branch, and one branch only — at Gloucester. Another suggestion was, to allow bankers to enlarge the number of partners, in order to give stability to country banks. There were, he knew, a number of banks in England that did not stand in need of new partners—the character of which had been so long and so well established — whose credit had been unshaken for so many years, that they did not require any adventitious assistance. But there might be other banking establishments, to which the union of persons possessing large fortunes might be extremely advantageous. So far he thought it would be desirable to see what good might be effected by joint-stock companies (for such they would be) of that description, by allowing the banks in England to be conducted on the same system as now prevailed in Scotland. But the House would scarcely believe, that the bill which had been passed tended to prevent the formation of any one joint-stock company. No one banker could say, "I will form a junction with certain individuals, for the purpose of giving strength and solidity to my house; because I am not allowed to draw any bill on London under 50*l.* be the circumstances what they may." If the earl of Liverpool had sent for two or three country bankers, they would have told him that it would be impossible for them to extend their establishments, and carry into effect the system which had been proposed, while they were precluded from drawing on London for less than 50*l.* But, before they were a month older, he doubted not that they would find the means of evading the provisions of the bill. The letter of the bill utterly precluded the possibility of carrying on the banking system by the extension of partners; but he understood there had been several meetings on the subject, the whole object of each of which appeared to be to discover how the provisions of the measure could be evaded. Whether the mode proposed for effecting that object was a safe one or not, he would not say; but it seemed that a mode was pointed out, by which joint-stock companies, notwithstanding the provision to which he had referred, might be formed. Some of the banks were solid—some were not—and the latter, of course, would try the experiment and add to the number of partners.—He now called the attention of the House to the end of this system. England was to be precluded, in three years more, from the circulation of one-pound and two-pound notes—the system of Scotland was to be protected for the present, and she might issue as much paper as she pleased—whilst Ireland was not to have her doom told till 1833. But why should not Scotland return to this wholesome currency? Could any gentleman assign a satisfactory reason for that distinction? In this instance, contrary to her usual good fortune, Scotland seemed to have come off second best. This, then, was the state in which, at the end of the session, they delivered up the currency of the country. Such was the report they had to make on this important question. With that report he did not wish to find fault; but he wished to justify himself. He would make no injurious comments; but he felt it right to clear himself from having given any assistance to, or having participated in, what he conceived to be a system of delusion. In his opinion, ministers had proceeded on a system that was fraught with danger. They had found that the course which they intended to adopt towards Scotland would not answer, and they deemed it necessary to alter that course. They had previously spoken out pretty strongly on the subject; but their after-conduct was opposed to their declarations. They had gone into this committee, pretending a sort of innocence of all information on this subject. They had, it seemed, no previous communication with the gentlemen of Scotland on the subject; but the moment they received their evidence in the committee, they changed their original intention. The English banker thought, therefore, that he had reason to complain. He said, "Why did you not act in the same manner with respect to me? Why did you not send and examine me, before you passed the recent act? I could have produced man for man, as respectable as those of Scotland. I could have produced banker for banker (some of them ten times more respectable than those of Scotland), to have proved the impolicy of the measure." He meant nothing offensive by this last expression. He admitted the high respectability of the bankers of Scotland; but there were bankers in this country, who, for wealth and talent, were equal to any body of men in the world. Why, he asked were not they examined? No; ministers assumed the demerits of the English bankers, and said not a word with respect to those of Scotland, who were allowed to make out their own case. This was a most unjustifiable proceeding, and he washed his hands of it. The purpose for which he rose was, to disburthen his mind. He had done so—"liberavi animam meam:" he had called the attention of the House to this great question; and he had, in the face of the country, pointed out the miserable appearance which they made at the end of the session. He had no motion to make; and he should only further observe, that in what he had said, he felt no hostility towards lord Liverpool. He wished him every possible good that could attend him as a man whom he respected; and he also wished him a little more nerve and firmness as a minister.

Mr. Secretary *Peel* said, that in rising to address himself to this subject, he felt that he was placed in a most embarrassing situation, owing to the extraordinary manner in which it had been introduced by the right hon. gentleman. It should be recollected, that the report which the right hon. gentleman had made the subject of remark, was not in the possession of a single member; neither was any individual, except those who attended the committee, acquainted with the evidence on which that committee had arrived at a certain conclusion; and when this was the acknowledged fact, was it not utterly impossible for those to whom the right hon. gentleman had made his appeal, to come to any fair or prudent judgment? The committee had continued their inquiry until a very late period of the session. They had laboured until no more time remained than was sufficient for the consideration of that evidence on which they had formed their judgment; and he hoped the House would suspend their opinion until that evidence was laid before them. He never sat on a committee that was more disposed to listen to every representation. He never sat on a committee that was more disposed to cast aside every consideration, and every proposition, except what was connected with, and founded on, the statements of those who were examined. The right hon. gentleman had asserted, that the conclusion to which the committee had come was an entire departure from the principle which ministers had originally laid down—that it was wholly at variance with the previous declarations of his majesty's government. Now, he denied that his majesty's ministers had ever made such a declaration as that which was imputed to them. His majesty's ministers never expressed it to be their opinion, that the application of the law, which abolished the circulation of small notes, in England, in 1829, must necessarily be extended to Scotland. Why, indeed, should they come to such a conclusion? That measure, which the right hon. gentleman had described as totally inconsistent with the principle previously laid down by ministers, was neither more nor less than a return to the state of things which existed in this country prior to 1797. Supposing cash payments, to the fullest extent, to be resumed in 1829—suppose that measure to be sanctioned by the legislature (and that was the system to which he was decidedly friendly)—could that be deemed a departure from the principle previously advocated by ministers? Was not that the system under which he himself admitted, that the country had flourished up to 1797, when the restrictions were by law imposed on the Bank of England? Prior to that, England had a metallic currency as the basis of its circulation. For twenty years preceding the Bank Restriction Act, that was, from 1777 to 1797, it was illegal in any body to issue notes below *5l.* Before that period, there were no notes in circulation under *5l.* and the circulation was, for every practical purpose, composed of the precious metals; but, from 1777 to 1797 (when our commercial transactions were on a greater scale than they had previously been), it was rendered unlawful by act of parliament, to issue notes for less than *5l.* But what was the case with respect to Scotland? Why, during the whole period that had elapsed since 1700, there had existed, in point of fact, a small-note circulation in Scotland, and nothing else. He would not exactly say "nothing else," because he did not wish to state any thing incorrectly; but, for twenty years preceding the union with Scotland, the small notes practically had the effect of preventing a metallic circulation. In 1775, it was calculated by Dr. Adam Smith, that there was in Scotland gold in circulation to the amount of 500,000*l.*; but the quantity which was in circulation just preceding the Bank restriction was not worth speaking of. Now, he would venture to say, that, before the present session of parliament no person had ever thought of, at least no person had proposed, that the permission to issue notes below the value of *5l.* in Scotland should be done away with. In 1810, a committee was appointed to consider of the resumption of cash payments. That committee entered into the whole subject, and came to this conclusion, that cash payments should be resumed in two years from that period; but that committee did not recommend that, with the resumption of cash payments, the issue of notes under *5l.* in Scotland should be done away. In 1818, another committee was appointed to consider the state of the whole circulation in the country. That committee made a report; but no part of it recommended, that in Scotland the privilege of issuing notes of *5l.* and under should be taken away. He did not, however, mean to say that the committee forgot that subject—it was not a lache on their part. No, they had evidence before them with respect to that question. Mr. Gilchrist was examined; who informed them, that for a century preceding, Scotland had an issue of Bank-notes under *5l.*; but the committee did not think it essential to the principle which they then laid down, that Scotland should at that moment be compelled to issue gold. That formed no part of the plan which he himself, as chairman of the committee, brought forward in 1818. It was not at that time deemed necessary to interfere with the Scotch currency. There was then the practice of a hundred years previous to 1797, and there was also the fact, that the reports of two successive committees never did state that it was absolutely necessary, in returning to a stable and solid currency, that the system which had been so long adopted in Scotland should be altered. He would then ask the right hon. gentleman to state on what declaration of the government it was, that he founded his accusation? He protested that he knew nothing of it. His own feeling was, that the measure should be extended to Scotland—but certainly not without an inquiry. He could not see where lord Liverpool had, in the slightest degree, committed himself. To prove that the noble lord had done so, the right hon. gentleman referred to the noble lord's letter to the Bank. Now, if he wanted to show that lord Liverpool had not committed himself, he would quote that very letter. His lordship there gave his view of the case to be, that the state of the gold circulation was not the cause of the distress. He alluded to the year 1793, and observed, that though there was no issue of one-pound notes then, there was at that time, very great distress. His lordship distinctly stated, that in 1793, when that distress prevailed, there was a metallic circulation; and therefore, he came to this conclusion, that the issue of paper in the instance then immediately under consideration had not the effect of creating the distress which he was anxious to remove. By the act of 1819, it was directed, that, in 1822, the Bank should resume cash payments, and that two years after, both the country banks and the Bank of England should be restricted from the issue of small notes. With the exception, therefore, of the difference between 1824 and 1829, the plan adopted by his majesty's government would, in every point of view, have the effect of bringing into full operation the recommendation of the committee, with which the measure of 1819 originated. It would provide, that the basis of the circulation should be a metallic currency: but, under the peculiar circumstances of the case, it was not thought necessary to interfere with the currency of Scotland. Long since it had appeared to the earl of Liverpool, that there was something unsound in the banking system; and when Mr. Vansittart was in office it was proposed that the bankers should find security. The earl of Liverpool, at that time, acted from his own view of the case, without having recourse to evidence. The proposition then made was, to call on the bankers of England to find security for their issue of one-pound and two-pound notes. And, what was the conduct of the right hon. gentleman on that occasion? He turned round, and said it was a measure which Mr. Pitt, in the very zenith of his power, would not have attempted without due inquiry. That was the very course which was taken on this occasion. A committee was appointed to inquire into the subject; but the right hon. gentleman was not satisfied with that proceeding which he had himself formerly contended for. If he wanted arguments to prove the necessity of grave and serious inquiry—if he wanted reasons to show the propriety of appointing a committee—he could find them in abundance, in the speech of the right hon. gentleman, to which he now alluded. When the earl of Liverpool acted without a committee, the right hon. gentleman was ready to move for one; and when the noble lord acted with a committee, the right hon. gentleman said, "I disapprove of that course, and think the measures ought to have been at once taken at the table of this House." He would contend that, in proposing that a metallic circulation should be the basis of the currency of this country, there was nothing inconsistent with permitting the paper circulation of Scotland to remain; neither was there any thing inconsistent with the principle on which he proposed that cash payments should be resumed (a principle to which he adhered as firmly as the right hon. gentleman did); nor, in fine, was there any thing inconsistent with the declaration made by his majesty's government at the beginning of the session.—He now came to consider whether the decision of the committee could be defended as wise and prudent; and he called on the House to suspend their judgment until they had seen the evidence. The right hon. gentleman said, he deprecated the publication of the evidence, because it contained many statements that would support the doctrines of different pamphleteers. The right hon. gentleman further stated, that he did not complain of the report, although it embraced certain points which he condemned. Now, the right hon. gentleman must know, that individuals would give their evidence in that way which pleased them best; and if they stated matter that went to the support of any absurd principle, the right hon. gentleman must feel, that it would be far more difficult to expunge that part which he might object to, than to give the whole examination without curtailment. For the first time the circulation of Scotland was, on this occasion, brought before a committee. As he had said before, his opinion was, that the system which had been laid down for England should be extended to Scotland. He had gone into the committee with that impression; and he thought that all general reasoning was in favour of that principle. He himself examined many of the witnesses, and he threw on them the onus of proving that Scotland formed an exception to the application of the principle.

It was represented to him, after the committee had been formed, that it was not fairly constituted, and that Scotland was not duly represented. He acceded to the proposition for extending the number, and an hon. gentleman opposite was added to the committee. He knew that that hon. gentleman's opinion was hostile to a change in the law; but he agreed to the suggestion, because he wished to avoid the appearance of any thing like partiality. The hon. member for Malmesbury also proposed, that the hon. member for Aberdeen should be added to the committee. This proposition was met with the same fairness; and that hon. gentleman was also appointed on the committee. On general reasoning, he certainly conceived that the same principle ought to be applied to Scotland as to England. But, when they had heard the evidence, the committee came to this conclusion, "that, under existing circumstances, they could not recommend a change in the law which had prevailed in Scotland for upwards of a century; and that another trial should be made to see how far a paper currency in Scotland was compatible with a metallic currency in England." He did not think it could be said that they had pronounced, by this declaration, a decided opinion in favour of the Scotch system. They had listened to, and set forth, the arguments for and against that system, and they had stated their own opinion "that, under existing circumstances, they were not prepared to propose an alteration of the law." But they added that new circumstances—the increase of wealth, trade, and population, in that country—might arise, which might call for an alteration of the system. That was, he conceived, a fair way to treat the question. Were they not, under all the circumstances, justified in stating, that they did not think it expedient to alter the system at this moment? He believed it was by no means an over-statement, that there was a universal impression in Scotland, in favour of the existing system. He, however, would declare, for one, that he was prepared to have disregarded that feeling, if conclusive evidence had been adduced on the other side. He believed that the system of a paper currency was advantageous to the bankers and traders of Scotland, and therefore he was prepared for a general concurrence of opinion on that subject throughout every part of Scotland, so far as those bodies were concerned. But he was of opinion that the House of Commons was, practically, capable of forming a more accurate opinion on the question of currency, than any body of persons out of doors; and if he had thought it better, under all the circumstances disclosed in evidence, that the system which had been so long continued in Scotland should be departed from, he certainly would not have abandoned the alteration. Ten or eleven gentlemen from Scotland were examined, and he regretted that, from circumstances which he need not mention, the inquiries of the committee were not more extensive. But he was bound to say, that all the opinions of those gentlemen, and most of their facts, were in favour of the present system. What were those facts? In the first place, they were told that the practice had existed in the best days of Scotland, a hundred years before the year 1797, and those who were interested naturally asked, "Why should you disturb us, who have prospered under this system? Why meddle with us, who have never interfered with you?" They also called the attention of the committee to the country banks of England. Here he begged leave to observe, that he never threw any slur on those banks. He would say of the country bankers, not that a few of them were respectable, but that taking them as a class, they were most respectable. And the very best thing that could be done for them was, to remove that imperfection in their system, which had operated unfavourably to them in the public mind. The system was doubtless defective in practice; and the conduct of some individuals had not tended to improve it. A return had been laid before the committee, of the number of bankers in Scotland who had become insolvent, from the 1st of January 1816, to the present time, and a similar account had been made out with reference to England. When he compared the result, he was astonished. He could not help making that comparison; but he did not do it for the purpose of casting any reflection. He found, that in Scotland, there was but one application since 1816, on the part of an insolvent banker, while in England, during the same period, there had been 158 commissions of bankruptcy sued out against bankers. [Mr. Tierney said, "That is the fault of the system."] The right hon. gentleman observed, that the system was to blame. He admitted the fact. God forbid that he should impute the circumstance to any wrong or improper cause! But the remark of the right hon. gentleman was precisely the same that was made by the people of Scotland. They also exclaimed against the system pursued in this country, and extolled their own system, which produced so different a result. That which he contended for was, that there was no evidence adduced before the committee to show that the English and Scotch systems of small currency were likely to derange each other. The witnesses proved that the Scotch system had gone on well for upwards of a hundred years, during which the paper circulation had been greater than the gold. In that time it appeared that Scotland had suffered great political commotion. Two rebellions had broken out, and the changes of government were of an extraordinary nature. Yet the mercantile credit of that country had not suffered any shocks like those which had frequently, within the same time, convulsed the mercantile credit of England. The chief ground of the support which he had given in this instance to the Scotch system of circulation was the system of cash credits, which, acting through branch banks connected with the thirty principal banks of Scotland, encouraged and enlivened agriculture and manufactures in the remotest parts of that country. The argument of the bankers against the application of the new law was this—If the government should prohibit the issuing of notes under *5l.*, the chief banks would have no motive for continuing to support the branches of their several establishments now spread among the Highlands, and to the farthest bounds of the country. The power of issuing small notes was the only advantage of which the banks could avail themselves in those distant parts, where the circulation was almost wholly notes of the small denominations. The bankers would therefore naturally look to their own safety, and withdraw their branch banks. He would call the attention of the House to a comparative statement of the paper circulation in Scotland and in England at the same periods. By the labours of the committee which sat in 1819, it was ascertained, that the entire circulation of paper in England was somewhere about 40,000,000*l.*, of which the Bank of England had issued between 23,000,000*l.* and 24,000,000*l.* The rest consisted of the issues of country banks. He would take the circulation of the small notes of the Bank of England at 6,000,000*l.* or 7,000,000*l.*, which were but a small proportion to the whole currency. In Scotland, it might be said that there was now no gold at all in circulation. The whole of the circulation, as nearly as the committee could ascertain the amount, was at this time about 3,300,000*l.*: of this sum, 2,000,000*l.* were estimated to be in notes of value less than *5l.* He had gone into the committee with the impression, that the circulation of Scotland ought to be regulated by the same law which was to be applied to the small note circulation of England. But, after hearing the evidence, he owned that he was afraid, without further evidence being produced to prove that the two systems of Scotch and English currency were incompatible, to resolve on doing away with that of Scotland. He was still ready if that incompatibility could be proved, if it could be shown that the trade of Scotland would go on as well, or better, by immediately assimilating its currency to that of England, to carry that resolution into effect. At present, he felt the safer conclusion to be this—that they were not to be enamoured of the Scotch system; but to let it abide some further trial, rather than risk the danger to which the trade and interests of Scotland might, according to the evidence, be subjected by too speedy and rigid an application of the same law, under very different and varying circumstances, to the currency of the two countries. He regretted, though opposed in politics to the right hon. gentleman, to have to bring forward any report which did not meet with his approbation; but he never signed a report as chairman of a committee—he never did an act as a member of parliament—which gave him more unqualified satisfaction than he felt in having come to the conclusion which he had formed upon this subject.

Mr. *Abercromby* said, that he went into the committee with a full persuasion of the extreme absurdity of having one set of principles regarding the currency for England, and another set for Scotland, and he had heard nothing, in the course of the inquiry, that had altered his opinion. Every position in the report was in favour of the general principles the House had adopted for this country, but the conclusion led to quite the contrary result. He therefore objected to the report. There had been no evidence that the system of cash credits would be destroyed by the abolition of small notes. The committee, indeed, in one passage, expressed their unwillingness to derange a system which had proved so beneficial in practice; but that House was bound in justice to its own principles, to impose them on Scotland, unless it was prepared to pronounce much more decisively than this report. If the currency of Scotland were left in its present state, there would be an excessive issue of paper in that country, and the whole burthen of keeping up the supply of gold would be cast on the bankers of England. Why were they not heard in their defence? If the same indulgence had been extended to them that the Scotch Bankers had received, a very different result would have ensued. A striking fallacy in the speech of the right. hon. Secretary was, that he stated his case as if there had been no distress at any time, during the last century, in Scotland. No mistake could be greater. There had been a recurrence of public calamities, quite as often as in this country. The solidity of the Scotch banks, in consequence of the great number of partners in them, was a reason why, above all others, they ought to be put under restraint, as to the issue of their notes. By dividing the responsibility among so many individuals, the temptation to over-issue was greatly increased. The people of Scotland had suffered as much as any people from excess of paper. Prices had been raised, and the labourer was mulcted of his wages by the over-issues of the Scotch banks.

Mr. *Peel*, across the table: "That was during the Bank restriction."

Mr. *Abercromby*, "Not then, only. I affirm, that this state of things existed during the very last year."

Mr. *Peel*. "And in England, too."

Mr. *Abercromby* continued, he did not dispute that. He stated a general proposition, which he knew was equally applicable to both countries. A great deal had been said of the loss occasionally sustained by the English labourer, by the failure of a country bank; but he was convinced that the Scotch labourer suffered a much more severe loss by the depreciation of the currency, resulting from over-issues, because this loss was of longer continuance. There could be no doubt as to the principles on which the currency should be founded. They were established incontrovertibly by the Bullion Committee. That was the sole and exclusive object of its labours. In 1819, they underwent a second ordeal, before the committee on the resumption of cash payments. The condition of Scotland was every day approximating more closely to that of England. It was idle to pretend, that the Scotch bankers had always conducted their business with all the prudence to which they laid claim. Was there no distress at Glasgow, and in other manufacturing districts of Scotland? Another objection he had to the Report was, that it recommended a measure which had never before been heard of—the exclusion of Scotch notes from circulation in England. If such a law were passed, it would be the most vicious, odious, and detestable, in principle, that had ever received the sanction of parliament. When the proposition was made in the committee, he had offered no opposition to it. He had patiently heard all that could be urged in its favour; and at the close of the discussion, he had stated, that he would not pledge himself to support it. He had often passed the boundary between the two countries without being aware of it; yet this act, which any one might unconsciously commit, was henceforth to be subjected to possibly a severe penalty. Sure he was, that if any individual suffered under it, the country, from end to end, would sympathize with him. The only offence to which this new crime was analogous, was that of smuggling. The smuggler, at least, cheated the Exchequer; but the introducer of a Scotch note would be guilty of fraud against nobody. If the new parliament disgraced the Statute-book, by an enactment of this character, it would infallibly disgrace itself in the eyes of all mankind. The Report, in no point of view, would be satisfactory, either to the people of England, or to those of Scotland. The concluding part said, in effect, to the latter—"You are too much for us now, but we will do what we intend another time." He contended, that the course now proposed justified, in appearance, all the objections which had been thrown out against their principles by practical men, and displayed an inconsistency extremely prejudical to the interests both of England and Scotland. It was, in his opinion, quite impossible to maintain any law upon the subject of the currency in England, unless they made it equally applicable to Scotland. The Report was an argument against themselves, and against all those who had, on either side of the House, supported those principles, which the course now recommended, would most decidedly controvert. No obstacles had, he could assert with confidence, been thrown in their way by the gentlemen on his side of the House. They had joined most cordially in prosecuting the inquiry to a beneficial result; but he must say, that the result contained in the Report upon the table was not very satisfactory, and that his majesty's ministers would find the two systems which they recommended totally incompatible. He concluded by declaring, that the course recommended in the Report would prove injurious in its progress, and unfortunate in its results; for it must be productive of confusion in the circulating medium of the country, and might lead to the re-establishment of a bank-note issue in England.

Mr. *J. P. Grant* denied that it was at all necessary to assimilate the currency of Scotland and England. A difference had existed in that currency for a very long and difficult period, and yet they had the evidence of three Bank directors, decidedly declaring that it had no bad effect upon the commerce of that country, or the transactions of its inhabitants. During a period of little less than a century, there had been, in fact, but two failures; the whole loss from which amounted to only 36,000*l.* If facts, therefore, were brought to establish the necessity of interference in the paper system of Scotland, the burthen of the proof lay, he conceived, the other way. Considering what the state of Scotland was, when the banking system was first introduced, and to what a state of prosperity it had advanced, now that it was brought to perfection, it ought to be a very strong case which could warrant their interference. The whole system of banking in Scotland was founded on the issue of one and two pound notes; and the whole of the profits of the bankers were derived from them. The whole country, too, participated in those profits; for all monies lodged with them, the bankers allowed an interest of 4 per cent, and as they afterwards lent that money at 5 per cent, it followed that one per cent was the whole sum which the banker obtained to defray his expenses, make good his losses, and repay him for his trouble. A system of that kind, in which the profits were so small, the risks so little, and the advantages enjoyed by the many so great, should not be meddled with upon slight grounds. The House should have, what they had not, the fullest proof of its absolute necessity. The hon. gentleman then entered into a detail of the advantages proved by the Report to result to Scotland from a paper currency, and contended, that cash payments could not be supported without it. If the present method adopted with regard to England, did not produce the benefits which were anticipated, the system of Scotland might hereafter point out the expediency of allowing a small-note circulation to England.

Mr. *W. Gordon* said, that the Scotch were perfectly right in preferring their own system of banking to that of England. No complaint had been made against the Scotch system of banking; no overtrading, no rash speculation had been attributed to that system, and no failures had occurred in Scotland in consequence of its being adopted. That system had given the greatest satisfaction to the trading interest of Scotland, and to the country at large. It would, therefore, have been both unjust and impolitic to interfere with it. England was differently circumstanced. An alteration in England was an act of necessity; but in Scotland, the present system of banking having given satisfaction for so long a period, there was no necessity whatever for a change. It ought always to be recollected by those who considered the subject, that in England they were only returning to the system which had once universally prevailed, and which had been interrupted by a succession of circumstances; but in Scotland it had been always the same, and with it they had gone on advancing in power and prosperity. If a paper circulation enjoyed the confidence of the people, he, for one, would always support it.

Sir *M. W. Ridley* said, that as he had abstained from making any observations upon the system of banking at the time when the subject was discussed with reference to the English country bankers, he might perhaps be asked, why he proposed to make any observations upon the subject now. In answer to that, he could say, that as an English country banker, as one of those whose proceedings were said to have produced all the misery which afflicted the country, he had avoided taking any part in the debate, lest he should be supposed to have a personal feeling upon the subject, and to be swayed by prejudice, in opposing any measures which the legislature might think necessary for the protection of the country. He was one of those who opposed the chancellor of the Exchequer's project some years ago, which proposed to compel country bankers to lodge a large sum in the funds, as a security for their issues; because he considered it most unjustifiable to deprive men who were liable to sudden demands, of the means which enabled them to meet them with perfect facility; but, although he had resisted that security, he challenged inquiry into their conduct, and declared, without hesitation, that they had been most unjustly and most unfairly treated. The right hon. gentleman opposite, and the noble lord at the head of the Treasury, had thrown out insinuations against them which he was sure they must regret. The expressions contained in the Letter to the Directors of the Bank of England had, in his opinion, done more mischief than all the failures which had preceded them. He did not mean to say that the right hon. gentleman actually meant to produce such an effect; but the expressions which cast such a reflection upon the conduct of the country bankers were very ill-advised. He had no objection to any inquiries which went to a strict examination of all the concerns of the English country banks, and for them he demanded inquiry. He felt well convinced that their solidity of means and soundness of principles would stand the test, if they allowed that they had lately stood the effect of such a storm as had never before been witnessed. When the country bankers were subjected by the right hon. gentleman to that measure, which extended only to 1829, and then took away from them the power to issue any more notes, he said there must be something wrong in our system, compared with that of Scotland. Now, he demanded inquiry on the part of those bankers, and he was confident, if it was granted, that it would be found that no well-conducted bank in England was different from any well-conducted bank of Scotland. He was one of those who held an opinion upon this subject somewhat opposed to the doctrine of political economists. He believed that a paper currency, upon a secure and solid basis, convertible into gold, was better than a metallic currency. He was willing to admit that a paper currency was favourable to over-speculation; and it was in this light that he viewed the arrangement, with reference to Scotland, with the most jealousy. Scotland, by the continuance of her paper currency, would be able to lend assistance to interests which were in want of such aid; whilst England, by the alteration in her currency, had her hands, as it were, tied in this respect. He did not feel any grudge towards Scotland for the advantages she was to gain, but he did not like that she should gain them at the expense of England. The two countries, he knew, must go on together, sharing equal advantages. These being his opinions, he should move, in the course of the night, a resolution to pledge the House to take the earliest opportunity next session to enter into the consideration of the effects likely to be produced by the existence of currencies of different denominations in the two countries. He was convinced that it was requisite to put Scotland upon the same footing as England, or to cause England to return to that state from which she had departed; and he thought investigation would show it to be more desirable to return to the one than persevere in the other. He understood that some means were to be taken to prevent Scotch notes from circulating in England. The Secretary for the Home Department had had some experience in the penal laws of the kingdom; but he thought his ingenuity would be puzzled to frame a penal law which should successfully prevent the Scotch notes from crossing the border. Before the year 1797, it appeared that there were not fewer than sixty or seventy thousand pounds of Scotch notes in circulation in England. At present, the Scotch banks had their agents every where in this country, and there was no reason to suppose the circulation was not kept up. The reissue of notes in England might be prevented; but how they could prevent the traveller in Scotland from bringing the notes of the country away with him he did not know. The Bank directors, when asked the question, relative to the continuance of paper currency in Scotland, said, that it would not hurt them, provided the notes did not pass beyond Scotland. An hon. member suggested, that the evil could be prevented by country bankers not changing Scotch notes when brought to them; but to that plan he as a banker objected. He saw no reason why the odium of refusing accommodation should be thrown upon the country bankers. He was sure that, if any honourable member on his way from Scotland, were to come to Newcastle, and he were to refuse to take his Scotch notes in exchange for something more substantial to carry him up to London, he would not easily forgive him. He hoped, therefore, that this project, if seriously entertained, would be abandoned. The hon. baronet, in conclusion, declared that he should take the earliest opportunity to put upon record his opinion of the injustice, the unfairness, and the illiberality with which, in the course of the present session, the country bankers of England had been treated by his majesty's ministers.

Mr. *Robertson* was of opinion, that a currency founded on a metallic basis, was the only one on which the country could rely for security.

Mr. *T. Wilson* objected to the restrictions which had been imposed on English country bankers, while those of Scotland were exempted from their operation. He was of opinion, that if the currency of this country had been let alone, it would have righted itself, and we might have gone on as well as before; but to begin our alterations by depressing the country bankers, and by placing them under restrictions from which Scotch bankers were exempted, merely because there had been fewer failures in Scotland, was a course which he thought entirely wrong. He disagreed with those who had advised a different course to be pursued with regard to the two countries; as he considered that England and Scotland ought to have been left to work together, and he was sure, if they had, it would have been to their mutual advantage. To impose these restrictions on English country bankers, was to advance Scotland at the expense of England; for he was convinced there were no means of circumscribing the Scotch paper currency to the limits of that country alone. If the principle on which ministers acted was a good one, it ought to be applied to both countries.

Mr. Alderman *Heygate* thought, that a great deal of injustice might have been avoided, if an inquiry had been entered into sooner; but all inquiry was, in the first instance, refused. The true requisite of a currency was security, and that was not to be obtained by abolishing paper-money altogether; for, if that was the case, England, Scotland, and Ireland ought to have been put on the same footing. He believed, that if an inquiry had been granted, some modification of the present system might have been effected; and that modification would have tended to prevent much of that want of employment which had been lately felt in the country. The modification he alluded to was, by requiring a security from the country banker, by which the danger of over-issues might have been checked, and the small country bank-notes of England rendered as secure as those of Scotland. He considered the report of the Committee appointed to investigate the state of the Scotch and Irish Currency a sound and wise report, in the conclusion to which it arrived; namely, that a paper currency might be rendered available for all the purposes of a country.

Mr. *Ellice* said, he could not come to the same conclusion as the hon. member who had just taken his seat; namely, that the report of the committee was a sound and wise report. The principle on which their report was founded was unknown to him, and the report itself was diametrically opposed to what he expected, after the events which had occurred at the beginning of the session. He agreed with the member for Knaresborough, that if Scotland was to be exempted from the operation of the new measures, on account of the evidence which had been presented to the Committee, he could have produced evidence equally strong to exempt the bankers of the various counties of England; and he would appeal to the hon. member for Newton for evidence to except Norfolk from the operation of these bills. He asked, therefore, with the hon. member for Newcastle, why they had not heard evidence for England? Ministers had not acted with more propriety on this occasion than they would have done in making different Corn-bills for England, Ireland, and Scotland. They had been asked, what pledge the ministers had given that they would not pass the measures for England without making them embrace both Scotland and Ireland? He answered, that that pledge had, in effect, been given by the chancellor of the Exchequer, in the discussion that took place on the first proposition of the measure. He had then asked the right hon. gentleman, what was intended to be done with respect to England and Scotland? and he was answered, that it was merely a question of time, but that it was impossible to conceive there could be a permanent difference in the currency of the three kingdoms. Why, therefore, had the measure been abandoned? Why had not some limitation been imposed on the Scotch, when so many restrictions were imposed on the English currency? It was said, that the circulation of Scotland amounted to three millions, of which two were stated to consist of small notes. Now, if it was impossible to obtain specie, into which to convert the whole of the two millions of small notes, surely we ought to have required the bankers of Scotland to afford some security against the dangers that might arise from their over-issues, by having one of those two millions, at least, converted into gold. That would, in fact, have been doing no more than requiring that one-third of their capital should be in specie. He called on the President of the Board of Trade to say what would be the effect of our changes with respect to foreign countries? In the years 1824 and 1825, by our over-issues of paper-money, gold, to the amount of eight millions, had found its way from this country into other nations; and what was the consequence? Why, as no people lived so fast as those who lived upon borrowing, the demands of those nations for our money, and afterwards our manufactures, became very great. As we possessed more than enough of paper money for our purposes, the new states of South America borrowed a large portion of our superabundant wealth; and became our best customers for our manufactured goods. In 1825 and 1826, our paper credit beginning to fail, we were obliged to call on those countries to repay the money we had lent. We suddenly deprived them of the capital on which they had begun to trade, and by which the amount and value of their dealings must, of course, have been regulated; and then, having suddenly made them poorer, we experienced the effects of their poverty, by their ceasing to call for those manufactures which, for want of their demand, were now rotting in our warehouses at home. He deprecated this constant vacillation of conduct, and asked, what security had the country that, in one or two years, ministers would not return to the system which they had now partially abandoned. The exemption of Scotland from this change of currency, while it was invidious towards England, did not benefit the former country; since her surplus produce must be sold in the English markets; by whose currency, of course, their value must be regulated. He had more than once hinted, that the country could not pay its taxes and its expenditure, upon a scale regulated by the ancient standard of its currency. Prices must be relative. Corn must find its level, like all other commodities; and he doubted whether the country gentlemen would approve of the system of cash payments, when they found the price of corn fall so low as 45*s.* Sugars had fallen from 70*s.* to 55*s.*; but the old duty of 27*s.*, which was a main ingredient in the price, did not fall in the same proportion. He was never against a reform in the currency; but nothing could be so prejudicial as to announce a change one day, and recal it the next. He could not conclude without calling upon the chancellor of the Exchequer to recal the hard words he had applied to his friend Malachi Malagrowther, who, he thought, since the change in his sentiments, had some reason to complain.

Mr. *Hudson Gurney* said, he was convinced, that all the trading and commercial concerns of Scotland were so interwoven with her system of paper money, that distress and ruin would follow any attempt to break it up. He did not, however, present himself as a panegyrist of that system, *per se*, being of opinion, that it was liable to this great objection—that under it a greater quantity might be thrown into circulation than could possibly be the case under the system carried on in England. What advantage had been found, by the committee, in the Scotch over the English banking system, he could not conceive. The only difference that he knew of in the two plans was, that in England the bankers exchanged each other's notes on the day following that upon which they received them, whereas in Scotland that operation was not performed with so much speed. The effect of obliging this country to return to a metallic currency at the present moment was greatly injurious to us. The present was a period of great stagnation; and though the exchanges were favourable to us—of great distress; so much so, that we were actually purchasing the sovereigns that were coming into the country at the rate of 30*s.* or 40*s.* each. That this was the fact any one might satisfy himself by merely considering the price at which goods were now exporting; and by which, he maintained, that there was a loss of one-third or one-half to England. So much, then, for the policy of the currency measures at a moment like the present. If they looked back to the operation of the measure of 1819, they would find that precisely the same effects had been visible. There was then the same commercial distress, followed by a stagnation—the same, in a different degree—and followed by severe agricultural distress. He hoped that they would examine the question of the currency more fully, in order to see whether relief could not be given from those consequences, which, he contended, must result from an adherence to the standard of gold at 3*l.* 17*s.* 10½*d.* per oz. He hoped that silver would be admitted into the standard, or that government paper, in some shape, would be issued; not, perhaps, to the extent of being a legal tender, but in some form or other. Unless this, or something having the same tendency, were adopted, the country would not be long able to support itself.

Mr. *Cripps* thought, that the bankers of England had reason to complain that a committee of inquiry had not been granted, before their circulation was limited by the alteration in the currency. They were as much entitled to that favour as the Scotch banks. With respect to the Bank of England, he thought it had many difficulties to encounter, before the establishment of the branch banks; but these difficulties it had laudably endeavoured to surmount; and he hoped, that before the next session those banks would be in operation, much to the advantage of the public.

Mr. *Maxwell* expressed his firm conviction, that it would be impossible to keep faith with the public creditor, and at the same time to continue a metallic currency. The only way to support such a currency would be, to reduce taxation; and he for one would vote for such reduction, without reference to any consideration of whether or not the reduction would prevent faith being kept with the public creditor.

The Report was then laid on the table. After which, sir M. W. Ridley moved, "That it is advisable, in the next session of parliament, to institute an Inquiry how far the interests of England and Scotland may be affected by a different system of Currency in the two Countries; and to consider whether any or what means may be necessary to assimilate it, so as to promote the general interests of both."—The motion was put, and negatived.

HOUSE OF LORDS.

Wednesday, May 31.

THE KING'S SPEECH AT THE CLOSE OF THE SESSION.] After the royal assent had been given to sundry bills, the Session was put an end to by Commission. Upon which occasion, the Lord Chancellor delivered the following Speech:—

"My Lords, and Gentlemen,

"His Majesty commands us to inform you that the state of the public business enabling his Majesty to close the Session at a period of the year the most convenient for a general election, it is his Majesty's intention to dissolve, without delay, the present Parliament, and to direct the issue of writs for the calling of a new one.

"His Majesty cannot take leave of you without commanding us to express his Majesty's deep sense of the zeal and public spirit which you have constantly displayed in the discharge of your several important functions.

"His Majesty particularly acknowledges the promptitude and discretion with which you have applied yourselves to the objects specially recommended to you by his Majesty at the commencement of this session; and his Majesty confidently hopes that the good effect of your deliberations will be manifested in the improved stability of public and private credit.

"His Majesty has the satisfaction to inform you, that the distinguished skill, bravery, and success, with which the operations of the British arms, in the dominions of the king of Ava, have been carried on, have led to the signature, upon highly honourable terms, of a preliminary treaty with that sovereign, which his Majesty has every reason to expect will be the foundation of a secure and permanent peace.

"His Majesty further commands us to repeat to you, that his Majesty's earnest endeavours have continued to be unremittingly exerted to prevent the breaking out of hostilities among nations, and to put an end to those which still unhappily exist, as well in America as in Europe.

"Gentlemen of the House of Commons,

"His Majesty commands us to thank you for the provision which you have made for the service of the year.

"His Majesty's attention will be constantly directed to the reduction of the public expenditure in every degree that may be consistent with the due maintenance of the security, honour, and interests of his kingdom.

"My Lords, and Gentlemen,

"We are specially commanded to assure you, that his Majesty's paternal feelings have been deeply affected by the distresses which have prevailed among the manufacturing classes of his Majesty's subjects, and by the exemplary patience with which those distresses have been generally borne.

"His Majesty trusts that the causes out of which the partial stagnation of employment has arisen are, under the blessing of Providence, in a course of gradual abatement.

"His Majesty is confident that your presence and example in your several counties will contribute to maintain and encourage the loyal and orderly spirit which pervades the great body of his people; and his Majesty relies upon your disposition to inculcate that harmony and mutual good-will among the several great interests of the country, upon which the common prosperity of them all essentially depends."

After which, the lord Chancellor prorogued the parliament to the 14th of June. Thus ended the Seventh parliament of the United Kingdom of Great Britain and Ireland.

APPENDIX.

FINANCE ACCOUNTS

FOR THE YEAR ENDED 5th JANUARY, 1826.

CLASS
I. - - - Public Income.
II. - - - Public Expenditure.
III. - - - Consolidated Fund.
IV. - - - Public Funded Debt.
V. - - - Unfunded Debt.
VI. - - - Disposition of Grants.
VII. - - - Arrears and Balances.
VIII. - - - Trade and Navigation.

No. I.—An Account of the ORDINARY REVENUES and EXTRAORDINARY RESOURCES, IRELAND, for the Year

HEADS OF REVENUE.	GROSS RECEIPT.			Repayments, Allowances, Discounts, Drawbacks, and Bounties of the Nature of Drawbacks, &c.			NETT RECEIPT within the Year, after deducting REPAYMENTS, &c.		
Ordinary Revenues.	£.	s.	d.	£.	s.	d.	£.	s.	d.
Customs	20,367,652	14	10	1,422,394	15	8¾	18,945,257	19	1¼
Excise	26,089,408	10	0¼	3,742,554	16	8¾	22,346,853	13	3½
Stamps	7,881,150	1	10¾	257,408	1	4½	7,623,742	0	6¼
Taxes, under the Management of the Commissioners of Taxes	5,183,012	10	5	6,290	2	3	5,176,722	8	2
Post Office	2,367,567	16	6	98,948	6	5	2,268,619	10	0
One Shilling in the Pound, and Sixpence in the Pound on Pensions and Salaries, and Four Shillings in the Pound on Pensions	57,958	10	5¾	-	-	-	57,958	10	5¾
Hackney Coaches, and Hawkers and Pedlars	69,998	10	7	-	-	-	69,998	10	7
Crown Lands	513,766	10	4½	-	-	-	513,766	10	4½
Small Branches of the King's Hereditary Revenue	9,056	1	5	-	-	-	9,056	1	5
Lottery; Surplus Produce after payment of Prizes	295,390	0	0	-	-	-	295,390	0	0
Surplus Fees of Regulated Public Offices	56,091	14	7	-	-	-	56,091	14	7
Poundage Fees, Pells Fees, Casualties, Treasury Fees, and Hospital Fees	11,520	6	11¾	-	-	-	11,520	6	11¾
TOTALS of Ordinary Revenues	62,902,573	8	1	5,527,596	2	6	57,374,977	5	6
Other Resources.									
Money brought from the Civil List on Account of the Clerk of the Hanaper	2,000	0	0	-	-	-	2,000	0	0
Money received from the East India Company, on Account of Retired Pay, Pensions, &c. of his Majesty's Forces serving in the East Indies, per Act 4 Geo. 4, c. 71	60,000	0	0	-	-	-	60,000	0	0
From the Commissioners for the Issue of Exchequer Bills, per Act 57 Geo. 3, c. 34, for the Employment of the Poor	208,307	0	0	-	-	-	208,307	0	0
Money received from the Trustees of Naval and Military Pensions	4,507,500	0	0	-	-	-	4,507,500	0	0
From several County Treasurers, and others in Ireland, on Account of Advances made by the Treasury, for improving Post Roads, for building Gaols, for the Police, for Public Works, Employment of the Poor, &c.	210,388	14	10¾	-	-	-	210,388	14	10¾
Imprest Monies, repaid by sundry Public Accountants, and other Monies paid to the Public	220,283	11	0¾	-	-	-	220,283	11	0¾
TOTALS of the Public Income of the United Kingdom	68,111,052	14	0½	5,527,596	2	6	62,583,456	11	5

Whitehall, Treasury Chambers,
10th March 1826.

constituting the PUBLIC INCOME of the United Kingdom of GREAT BRITAIN and ended 5th January, 1826.

TOTAL INCOME, including BALANCES outstanding 5th Jan. 1825.			Charges of Collection, and other Payments out of the Income, in its Progress to the Exchequer.			PAYMENTS into the EXCHEQUER.			BALANCES and BILLS outstanding on 5th January, 1826.			TOTAL DISCHARGE of the INCOME.			Rate per cent for which the Gross Receipt was collected.		
£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.
19,315,172	11	10⅜	2,253,538	2	9½	16,541,524	0	1	520,110	8	11⅞	19,315,172	11	10⅜	7	7	9
23,750,164	6	5⅛	1,580,934	15	4⅛	21,004,487	6	11	1,164,742	4	2	23,750,164	6	5⅛	4	16	0
8,049,765	2	9¼	184,914		4	7,447,923	18	11	416,927	3	6¼	8,049,765	2	9¼	2	6	11
5,393,166	6	0	310,669	13	9	4,990,961	2	4¾	91,535	9	10¼	5,393,166	6	0	5	11	10
2,474,626	8	1	664,767	10	0	1,595,461	10	9¼	214,397	7	3¾	2,474,626	8	1	25	11	10
61,250	3	2¾	1,375	18	8	56,730	5	11¾	3,143	18	7	61,250	3	2¾	2	5	7
70,012	18	5	10,149	17	1	59,857	0	0	6	1	4	70,012	18	5	14	9	11
625,626	2	8¾	587,768	15	6½	-	-	-	37,857	7	2¼	625,626	2	8¾	9	3	2
13,111	9	8	3,313	2	8¾	5,442	9	7	4,355	17	5¾	13,111	9	8¾	14	9	11
295,390	0	0	-	-	-	295,390	0	0	-	-	-	295,390	0	0	—		
56,091	14	7	-	-	-	56,091	14	7	-	-	-	56,091	14	7	—		
11,520	6	11¾	-	-	-	11,520	6	11¾	-	-	-	11,520	6	11¾	—		
60,115,897	10	9⅝	5,597,431	16	2⅛	52,065,389	16	2½	2,453,075	18	5⅛	60,115,897	10	9⅝	6 (Fractions omitted.)	3	11
2,000	0	0	-	-	-	2,000	0	0	-	-	-	2,000	0	0	—		
60,000	0	0	-	-	-	60,000	0	0	-	-	-	60,000	0	0	—		
208,307	0	0	-	-	-	208,307	0	0	-	-	-	208,307	0	0	—		
4,507,500	0	0	-	-	-	4,507,500	0	0	-	-	-	4,507,500	0	0	—		
210,388	14	10¾	-	-	-	210,388	14	10¾	-	-	-	210,388	14	10¾	—		
220,283	11	0¾	-	-	-	220,283	11	0¾	-	-	-	220,283	11	0¾	—		
65,324,376	16	9¼	5,597,431	16	2⅛	57,273,869	2	2	2,453,075	18	5⅛	65,324,376	16	9¼	—		

J. C HERRIES.

No. II.—An Account of the ORDINARY REVENUES and EXTRAORDINARY the Year ended

HEADS OF REVENUE.	CROSS RECEIPT.			Repayments, Allowances, Discounts, Drawbacks, and Bounties of the Nature of Drawbacks			NETT RECEIPT within the Year, after deducting REPAYMENTS, &c.		
Ordinary Revenues.	£.	s.	d.	£.	s.	d.	£.	s.	d.
Customs	18,226,717	17	9½	1,188,360	10	8½	17,038,357	7	1
Excise	24,188,397	14	11½	3,711,709	3	9¼	20,476,688	11	2¼
Stamps	7,391,527	10	4½	247,856	9	8¼	7,143,671	0	8¼
Taxes, under the Management of the Commissioners of Taxes	5,183,012	10	5	6,290	2	3	5,176,722	8	2
Post Office	2,160,390	2	1	78,810	13	8	2,081,579	8	4
One Shilling in the Pound, and Sixpence in the Pound on Pensions and Salaries, and Four Shillings in the Pound on Pensions	57,958	10	5¾	-	-	-	57,958	10	5¾
Hackney Coaches, and Hawkers and Pedlars	69,998	10	7	-	-	-	69,998	10	7
Crown Lands	513,766	10	4½	-	-	-	513,766	10	4½
Small Branches of the King's Hereditary Revenue	9,056	1	5	-	-	-	9,056	1	5
Lottery, Surplus Produce after Payment of Prizes	295,390	0	0	-	-	-	295,390	0	0
Sarplus Fees of Regulated Public Offices	56,091	14	7	-	-	-	56,091	14	7
TOTALS of Ordinary Revenues	58,152,307	3	0¾	5,233,027	0	1	52,919,280	2	11
Other Resources.									
Money brought from the Civil List, on Account of the Clerk of the Hanaper	2,000	0	0	-	-	-	2,000	0	0
Money received from the East India Company on Account of Retired Pay, Pensions, &c. of his Majesty's Forces serving in the East Indies, per Act 4 Geo. 4, c. 71	60,000	0	0	-	-	-	60,000	0	0
From the Commissioners for the Issue of Exchequer Bills, per Act 57 Geo. 3, c. 34, for the Employment of the Poor	208,307	0	0	-	-	-	208,307	0	0
Money received from the Trustees of Naval and Military Pensions	4,507,500	0	0	-	-	-	4,507,500	0	0
Imprest Monies repaid by sundry Public Accountants, and other Monies paid to the Public	173,677	14	8½	-	-	-	173,677	14	8½
TOTALS of the Public Income of Great Britain	63,103,791	17	9¼	5,233,027	0	1	57,870,764	17	7

Whitehall, Treasury Chambers,
20th March 1826.

Resources, constituting the PUBLIC INCOME of Great Britain, for 5th January, 1826.

TOTAL INCOME, including BALANCES outstanding 5th Jan. 1825.			Charges of Collection and other Payments out of the Income, in its Progress to the Exchequer.			PAYMENTS into the EXCHEQUER.			BALANCES and BILLS outstanding on 5th January, 1826.			TOTAL DISCHARGE of the INCOME.			Rate per cent for which the Gross Receipt was collected.		
£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.
17,363,810	2	6¾	1,738,967	15	7¾	15,194,256	6	1¾	430,586	1	9¼	17,363,810	2	6¾	6	4	8
21,806,565	14	10½	1,264,496	10	9¾	19,524,621	17	10¾	1,017,447	6	2	21,806,565	14	10¼	4	4	11
7,461,948	3	4	149,231	0	1¾	6,997,233	16	9	315,483	11	5¼	7,461,948	8	4	2	0	4
5,393,166	6	0	310,669	13	9	4,990,961	2	4¾	91,535	9	10¾	5,393,166	6	0	5	11	10
2,244,668	5	7	563,957	12	3½	1,517,000	0	0	163,710	13	4	2,244,668	5	7	23	14	6
61,250	3	2¾	1,375	18	8	56 730	5	11¾	3,143	18	7	61,250	3	2¾	2	5	7
70,012	18	5	10,149	17	1	59,857	0	0	6	1	4	70,012	18	5	14	9	11
625,626	2	8¾	587,768	15	6½	-	-	-	37,857	7	2¼	625,626	2	8¾	9	3	2
13,111	9	8¾	3,313	2	8	5,442	9	7	4,355	17	5¾	13,111	9	8¾	14	9	11
295,390	0	0	-	-	-	295,390	0	0	-	-	-	295,390	0	0		—	
55,391	14	7	-	-	-	56,091	14	7	-	-	-	56,091	14	7		—	
55,391,641	6	1	4,629,930	6	7¼	48,697,584	12	4	2,064,126	7	1¾	55,391,641	6	1	5	9	2
															(Fractions omitted.)		
2,000	0	0	-	-	-	2.000	0	0	-	-	-	2,000	0	0		—	
60,000	0	0	-	-	-	60,000	0	0	-	-	-	60,000	0	0		—	
208,307	0	0	-	-	-	208,307	0	0	-	-	-	208,307	0	0		—	
4,507,500	0	0	-	-	-	4,507,500	0	0	-	-	-	4,507,500	0	0		—	
173,677	14	8½	-	-	-	173,677	14	8½	-	-	-	173,677	14	8½		—	
60,343,126	0	9½	4,629,930	6	7¼	53,649,069	7	0½	2,064,126	7	1¾	60,343,126	0	9½		—	

J. C. HERRIES.

No. III.—An Account of the ORDINARY REVENUES and EXTRAORDINARY ended 5th

HEADS OF REVENUE.	GROSS RECEIPT.			Repayments, Drawbacks, Discounts, &c.			NETT RECEIPT within the Year, after deducting REPAYMENTS, &c.		
Ordinary Revenues.	£.	s.	d.	£.	s.	d.	£.	s.	d.
Customs	2,140,934	17	0½	234,034	5	0¼	1,906,900	12	0¼
Excise	1,901,010	15	0¾	30,845	12	11½	1,870,165	2	1¼
Stamps	489,622	11	6¼	9,551	11	8¼	480,070	19	10
Post Office	207,177	14	5	20,137	12	9¼	187,040	1	7¾
Poundage Fees, Pells Fees, Casualties, Treasury Fees, and Hospital Fees	11,520	6	11¾	-	-	-	11,520	6	11¾
TOTALS of Ordinary Revenues	4,750,266	5	0¼	294,569	2	5¼	4,455,697	2	7
Other Resources.									
From the Provost and Fellows of Trinity College, on account of Advances made by the Treasury for completing the North Square of the said College, per Act 54 Geo. 3, c. 167	1,107	13	10¼	-	-	-	1,107	13	10¼
From several County Treasurers, and others:									
On Account of Advances made by the Treasury for improving Post Roads in Ireland, under Act 45 Geo. 3, c. 43	7,827	11	11	-	-	-	7,827	11	11
On Account of Advances made by the Treasury for building Gaols, under Act 50 Geo. 3, c. 103	27,863	8	3½	-	-	-	27,863	8	3½
On Account of Advances made by the Treasury for Police in proclaimed Districts, under Acts 54 Geo. 3, c. 131, and 180, and 3 Geo. 4, c. 103	111,566	14	7¼	-	-	-	111,566	14	7¼
On Account of Advances made by the Treasury for Public Works and Employment of the Poor, under Acts 57 Geo. 3, c. 34 and 124, and 3 Geo. 4, c. 112, and 3 Geo. 4, c. 84	62,023	6	2¾	-	-	-	62,023	6	2¾
Imprest Monies repaid by sundry Public Accountants, and other Monies paid to the Public	46,605	16	4¼	-	-	-	46,605	16	4¼
TOTALS of the Public Income of Ireland	5,007,260	16	3¼	294,569	2	5¼	4,712,691	13	10

Whitehall, Treasury Chambers,
20th March 1826.

RESOURCES, constituting the PUBLIC INCOME of IRELAND, for the Year January, 1826.

TOTAL INCOME including BALANCES outstanding 5th Jan. 1825.			Charges of Collection, and other Payments out of the Income, in its Progress to the Exchequer.			PAYMENTS into the EXCHEQUER.			BALANCES and BILLS outstanding on 5th January, 1826.			TOTAL DISCHARGE of the INCOME.			Rate per cent for which the Gross Receipt was collected.		
£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.
1,951,362	9	3 5/8	514,570	7	1 3/4	1,347,267	14	11 1/4	89,524	7	2 5/8	1,951,362	9	3 5/8	17	4	2
1,943,598	11	6 5/8	316,438	4	6 3/8	1,479,865	9	0 1/4	147,294	18	0	1,943,598	11	6 5/8	11	17	5
587,816	14	5 1/4	35,683	0	2 1/4	450,690	2	2	101,443	12	1	587,816	14	5 1/4	7	5	9
229,958	2	5 1/2	100,809	17	8 1/2	78,461	10	9 1/4	50,686	13	11 3/4	229,958	2	5 1/2	45	1	7
11,520	6	11 3/4	-	-	-	11,520	6	11 3/4	-	-	-	11,520	6	11 3/4	—		
4,724,256	4	8 6/8	967,501	9	6 7/8	3,367,805	3	10 1/2	388,949	11	3 3/8	4,724,256	4	8 6/8	15	4	1
															(Fractions omitted.)		
1,107	13	10 1/4	-	-		1,107	13	10 1/4	-	-	-	1,107	13	10 1/4	—		
7,827	11	11	-	-	-	7,827	11	11	-	-	-	7,827	11	11	—		
27,863	8	3 1/2	-	-	-	27,863	8	3 1/2	-	-	-	27,863	8	3 1/2	—		
111,566	14	7 1/4	-	-	-	111,566	14	7 1/4	-	-	-	111,566	14	7 1/4	—		
62,023	6	2 3/4	-	-	-	62,023	6	2 3/4	-	-	-	62,023	6	2 3/4	—		
46,605	16	4 1/4	-	-	-	46,605	16	4 1/4	-	-	-	46,605	16	4 1/4	—		
4,981,250	15	11 6/8	967,501	9	6 7/8	3,624,799	15	1 1/2	388,949	11	3 3/8	4,981,250	15	11 6/8	—		

J. C. HERRIES.

No. I.—An Account of the TOTAL INCOME of the Revenue of Great Bri-
Repayments, Allowances, Discounts, Drawbacks, and Bounties of the nature
DITURE of the United Kingdom, exclusive of the Sums ap-

HEADS OF REVENUE.	NETT RECEIPT, as stated in Account of Public Income.			——		
ORDINARY REVENUES.	£.	s.	d.	£.	s.	d.
Balances and Bills outstanding on 5th January 1825	-	-	-	2,740,920	5	3
Customs	18,945,257	19	1¼			
Excise	22,346,853	13	3½			
Stamps	7,623,742	0	6¼			
Taxes	5,176,722	8	2			
Post Office	2,268,619	10	0			
One Shilling and Sixpenny Duty on Pensions and Salaries, and Four Shillings in the Pound on Pensions	57,958	10	5¾			
Hackney Coaches, and Hawkers and Pedlars	69,998	10	7			
Crown Lands	513,766	10	4½			
Small Branches of the King's Hereditary Revenue	9,056	1	5			
Surplus Produce of Lottery, after payment of Lottery Prizes	295,390	0	0			
Surplus Fees of regulated Public Offices	56,091	14	7			
Poundage Fees, Pells Fees, Casualties, Treasury Fees, and Hospital Fees	11,520	6	11¾	57,374,977	5	6
				60,115,897	10	9
Deduct Balances and Bills outstanding on 5th January 1826	-	-	-	2,453,075	18	5
Total Ordinary Revenues	-	-	-	57,662,821	12	4
OTHERS RESOURCES.						
Money brought from the Civil List, on account of the Clerk of the Hanaper	2,000	0	0			
Money received from the East India Company, on account of Retired Pay, Pensions, &c. of his Majesty's Forces serving in the East Indies, per Act 4 Geo. 4, c. 71	60,000	0	0			
By the Commissioners for the issue of Exchequer Bills, for the employment of the Poor, per Act 57 Geo. 3, c. 34	208,207	0	0			
By the Trustees of Naval and Military Pensions	4,507,500	0	0			
Money repaid in Ireland, on account of Advances from the Consolidated Fund, under various Acts, for Public Improvements	210,388	14	10¾			
Imprest and other Monies paid into the Exchequer	220,283	11	0¾	5,208,479	5	11½
				62,871,300	18	4
Balances in the hands of Receivers, &c. on 5th January 1825				2,740,920	5	3
Ditto on 5th January 1826				2,453,075	18	5
Balances less in 1826 than in 1825				287,844	6	10
Surplus Income paid into the Exchequer, over Expenditure thereout				5,653,841	6	0¼
Actual Excess of Income over Expenditure				5,365,996	19	1

Whitehall, Treasury Chambers, }
20th March 1826. }

TAIN and IRELAND, in the Year ended 5th January 1826, after deducting the
of Drawbacks; together with an Account of the PUBLIC EXPEN-
plied to the Reduction of the National Debt within the same period.

EXPENDITURE.	—			—		
PAYMENTS OUT OF THE INCOME in its progress to the Exchequer:	£.	s.	d.	£.	s.	d.
Charges of Collection	3,898,377	16	7½			
Other Payments	1,699,053	19	6⅝			
TOTAL Payments out of the Income, prior to the Payments into the Exchequer	-	-	-	5,597,431	16	2⅝
PAYMENTS OUT OF THE EXCHEQUER:						
Dividends, Interest, and Management of the Public Debt, four Quarters to 10th October 1825, exclusive of 5,486,475*l.* 7*s.* 8*d.* issued to the Commissioners for the Reduction of the National Debt	27,230,789	19	6¼			
Interest on Exchequer Bills	829,498	2	5			
				28,060,288	1	11¼
Issued to the Trustees of Military and Naval Pensions, &c. per Act 3 Geo. 4, c. 51	2,214,260	0	0			
Ditto - - Bank of England, per Act 4 Geo. 4, c. 22	585,740	0	0			
				2,800,000	0	0
Civil List - - - four Quarters to 5th January 1826	2,057,000	0	0			
Pensions charged by Act of Parliament on Consolidated Fund, four Quarters to 10th October 1825	366,028	8	2½			
Salaries and Allowances	87,641	5	0½			
Officers Courts of Justice	98,642	0	4			
Expenses of the Mint	14,748	15	10			
Bounties	2,956	13	8			
Miscellaneous	261,845	18	0			
Ditto - Ireland	301,084	2	9			
				2,189,947	3	10
Repayment of Loan from Royal Exchange Assurance Company, on account of the New Street	100,000	0	0			
For the purchase of Silver for the New Coinage in Ireland	500,000	0	0			
For Building New Churches in the Islands of Scotland	50,000	0	0			
				650,000	0	0
Army	7,579,631	4	4½			
Navy	5,849,119	4	3			
Ordnance	1,567,087	7	7¾			
Miscellaneous	2,216,081	15	4½			
				17,211,919	11	7¾
Money paid to the Bank of England, more than received from them for Unclaimed Dividends	49,464	11	6			
By the Commissioners for issuing Exchequer Bills, per Act 3 Geo. 4, c. 86, for the Employment of the Poor	125,150	0	0			
Advances out of the Consolidated Fund in Ireland, for Public Works	533,258	7	2¼			
				707,872	18	8¼
TOTAL				57,217,459	12	3⅞
Surplus of Income paid into Exchequer, over Expenditure issued thereout				5,653,841	6	0¼
				62,871,300	18	4⅛

J. C. HERRIES.

No. II.—An Account of the Nett PUBLIC INCOME of the United Kingdom of the Expenditure thereout, defrayed by the several Revenue Depart- exclusive of the Sums applied to the Redemption

INCOME.	Applicable to the Consolidated Fund.			Applicable to other Public Services.			Income paid into the Exchequer.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
Customs	13,530,524	0	1	3,011,000	0	0	16,541,524	0	1
Excise	21,000,487	6	10½	4,000	0	0	21,004,487	6	10½
Stamps	7,447,923	18	11	-	-	-	7,447,923	18	11
Taxes under the management of the Commissioners of Taxes, including Arrears of Property Tax	4,990,961	2	4¾	-	-	-	4,990,961	2	4¾
Post Office	1,595,461	10	9¼	-	-	-	1,595,461	10	9¼
One Shilling and Sixpence Duty on Pensions and Salaries; and Four Shillings in the Pound on Pensions	56,730	5	11¾	-	-	-	56,730	5	11¾
Hackney Coaches, and Hawkers and Pedlars	59,857	0	0	-	-	-	59,857	0	0
Small Branches of the King's Hereditary Revenues	5,442	9	7	-	-	-	5,442	9	7
Surplus Produce of Lottery, after payment of Lottery Prizes	-	-	-	295,390	0	0	295,390	0	0
Surplus Fees, regulated Public Offices	56,091	14	7	-	-	-	56,091	14	7
Poundage Fees, Pells Fees, Casualties, Treasury Fees, and Hospital Fees	11,520	6	11¾	-	-	-	11,520	6	11¾
TOTAL Ordinary Revenue	-	-	-	-	-	-	52,065,389	16	2
The Amount brought from the Civil List, on account of the Clerk of the Hanaper	2,000	0	0	-	-	-	2,000	0	0
By the East India Company, on account of retired Pay, Pensions, &c. of his Majesty's Forces serving in the East Indies, per Act 4 Geo. 4, c. 71	-	-	-	60,000	0	0	60,000	0	0
By the Trustees of Military and Naval Pensions, &c.	-	-	-	4,507,500	0	0	4,507,500	0	0
By the Commissioners for issuing Exchequer Bills for Public Works	-	-	-	208,307	0	0	208,307	0	0
Money repaid in Ireland, on account of advances from the Consolidated Fund, under various Acts for Public Improvements	210,388	14	10¾	-	-	-	210,388	14	10¾
Imprest and other Monies paid into the Exchequer	218,240	7	6	2,043	3	6¾	220,283	11	0¾
	40,185,628	18	6¾	8,088,240	3	6¾	57,273,869	2	1½

Whitehall, Treasury Chambers, }
8th February 1826. }

GREAT BRITAIN and IRELAND, in the Year ended 5th January, 1826, after abating
ments, and of the Actual Issues or Payments within the same period,
of Funded Debt, or for paying off Unfunded Debt.

EXPENDITURE.	£.	s.	d.	Nett Expenditure. £.	s.	d.
Dividends, Interest, and Management of the Public Funded Debt, four quarters to 10th October 1825, exclusive of 5,486,475*l.* 7*s.* 8*d.* issued to the Commissioners for the Reduction of the National Debt	27,230,789	19	6¼			
Interest on Exchequer Bills	829,498	2	5	28,060,288	1	11¼
Issued to the Trustees of Military and Naval Pensions, per Act 3 Geo. 4, c. 51	2,214,260	0	0			
Ditto - - Bank of England - - - - 4 Geo. 4, c. 22	585,740	0	0	2,800,000	0	0
Civil List, four quarters to 5th January 1826	1,057,000	0	0			
Pensions charged by Act of Parliament, on Consolidated Fund, four quarters to 10th Oct. 1825	366,028	8	2½			
Salaries and Allowances - - - Ditto	87,641	5	0½			
Officers of Courts of Justice - - Ditto	98,642	0	4			
Expenses of the Mint - - - Ditto	14,748	15	10			
Bounties - - - - - Ditto	2,956	13	8			
Miscellaneous - - - - Ditto	261,845	18	0			
Ditto - Ireland - - - Ditto	301,084	2	9	2,189,947	3	10
Repayment of Loan from the Royal Exchange Assurance Company, on account of the New Street	100,000	0	0			
For Purchase of Silver for the New Coinage in Ireland	500,000	0	0			
For Building New Churches in the Highlands of Scotland	50,000	0	0	650,000	0	0
Army	7,579,631	4	4½			
Navy	5,849,119	4	3			
Ordnance	1,567,087	7	7¾			
Miscellaneous	2,216,081	15	4½	17,211,919	11	7¾
TOTAL	-	-	-	50,912,154	17	5
Money paid to the Bank of England more than received from them on account of Unclaimed Dividends	49,464	11	6			
By the Commissioners for issuing Exchequer Bills, per Act 3 Geo. 4, c. 86, for the Emlpoyment of the Poor	125,150	0	0			
Advances out of the Consolidated Fund in Ireland, for Public Works	533,258	7	2½	707,872	18	8¼
TOTAL				51,620,027	16	1¼
Surplus of Income over Expenditure thereout				5,653,841	0	0¼
				57,273,869	2	1½

J. C. HERRIES.

No. III.—An Account of the BALANCE of PUBLIC MONEY remaining in the to the FUNDED or UNFUNDED DEBT, in the Year ended 5th January, or paying off the Unfunded Debt, within the same period; and

	£.	s.	d.	£.	s.	d.
Balances in the Exchequer on 5th January 1825				9,552,522	13	6¾
MONEY RAISED In the Year ended 5th January 1826, by the creation of Unfunded Debt:						
Exchequer Bills issued per Act 4 Geo. 4, c. 115	4,109,100	0	0			
Ditto - - - 6 - - - 2	20,000,000	0	0			
Ditto - - - 6 - - - 70	3,756,300	0	0			
Ditto Public Works - - - 3 Geo. 4, c. 86	125,150	0	0			
Ditto Churches - - - - 58 Geo. 3, c. 45	146,500	0	0			
				28,137,050	0	0
To pay off £.4 per cent Dissentients per Act 5 Geo. 4, c. 45				597,000	0	0
TOTAL				38,286,572	13	6¾
Surplus of Income over Expenditure thereout				5,653,841	6	0¼
				43,940,413	19	7

Whitehall, Treasury Chambers,
8th February 1826.

Exchequer on the 5th January, 1825; the amount of Money raised by additions 1826; the Money applied towards the Redemption of the Funded, the Money remaining in the Exchequer on the 5th January, 1826.

APPLIED BY

The Commissioners for the Reduction of the National Debt in the Redemption of Funded Debt.

	£.	s.	d.	£.	s.	d.
Sinking Fund, Unredeemed Funded Debt	5,000,000	0	0			
Interest on Redeemed - - Ditto	486,475	7	8	5,486,475	7	8
Bank of England, to pay off £.5 per cent Annuities 1797 and 1802	10,000	0	0			
Ditto - - - £.4 per cent Annuities	200,000	0	0			
Bank of Ireland - - - Ditto	397,000	0	0	607,000	0	0
Applied towards the Redemption of Funded Debt				6,093,475	7	8
UNFUNDED DEBT						
Issued to the Paymasters of Exchequer Bills, to pay off Unfunded Debt				32,541,300	0	0
				38,634,775	7	8
Balances in the Exchequer at 5th January 1826				5,305,638	11	11
				43,940,413	19	7

N. B.—The Sum of £.5,486,475 7*s.* 8*d.* applied by the Commissioners for the Reduction of the National Debt to the purposes of the Sinking Fund, was disposed of as follows; viz.

	£.	s.	d.
By Purchase of Stock	2,438,359	18	4
By cancelling Exchequer Bills issued to pay £.4 per cent Dissentients	2,390,000	0	0
By Interest on Exchequer Bills charged on Sinking Fund	95,446	10	3
By Life Annuities	562,668	19	1
	5,486,475	7	8

J. C. HERRIES.

No. I.—An Account of the INCOME of the CONSOLIDATED FUND arising in the 1826; and also of the Actual Payments on account

	£.	s.	d.
The Total Income applicable to the Consolidated Fund	49,185,628	18	6¾
	49,185,628	18	6¾

Whitehall, Treasury Chambers, 8th February 1826.

No. II.—An Account of the MONEY applicable to the Payment of the CHARGE of the 1826, and of the several CHARGES which have become due thereon, charged upon the said Fund, at the commence-

	£.	s.	d.	£.	s.	d.	£.	s.	d.
Income arising in Great Britain							45,560,829	2	5¾
Income arising in Ireland				3,624,799	15	1			
Add the Sum paid out of the Consolidated Fund in Ireland, towards the Supplies, in the Quarter ended 5th January 1825				254,356	14	0¼			
				3,879,156	9	1¼			
Deduct the Sum paid out of the Consolidated Fund, towards the Supplies, in the Quarter ended 10th day of Oct. 1825	437,321	18	4½						
Deduct the Sum paid out of the Consolidated Fund, towards the Supplies, in the Quarter ended 5th day of January 1826	218,119	14	5½						
				655,441	12	10			
							3,223,714	16	3¼
Total Sum applicable to the Charge of the Consolidated Fund, in the Year ended 5th day of January 1826							48,784,543	19	9
Exchequer Bills to be issued to complete the Payment of the Charge, to 5th day of January 1826							5,548,817	9	7
							54,333,361	9	4

Whitehall, Treasury Chambers, 8th February 1826.

United Kingdom of GREAT BRITAIN and IRELAND, in the Year ended 5th January, of the CONSOLIDATED FUND within the same period.

HEADS OF PAYMENT.	£.	s.	d.
Dividends, Interest, Sinking Fund, and Management of the Public Funded Debt, 4 Quarters to 10th October 1825	32,717,265	7	2¼
Interest on Exchequer Bills issued upon the credit of the Consolidated Fund	9,498	2	5
Trustees for Naval and Military Pensions, per Act 3 Geo. 4, c. 51	2,214,260	0	0
Bank of England - - - - per Act 4 Geo. 4, c. 22	585,740	0	0
Civil List, 4 Quarters to 5th January 1826	1,057,000	0	0
Pensions charged by Act of Parliament upon the Consolidated Fund, 4 Quarters to 10th October 1825	366,028	8	2½
Salaries and Allowances - - - - - - do. - - - -	87,641	5	0½
Officers of Courts of Justice - - - - do. - - - -	98,642	0	4
Expenses of the Mint - - - - - - - do. - - - -	14,748	15	10
Bounties - - - - - - - - do. - - - -	2,956	13	8
Miscellaneous - - - - - - - do. - - - -	911,845	18	0
Do. - - - Ireland - - - - - - do. - - - -	301,084	2	9
Advances out of the Consolidated Fund in Ireland, for Public Works	533,258	7	2¼
	38,899,969	0	7½
SURPLUS of the CONSOLIDATED FUND	10,285,659	17	11¼
	49,185,628	18	6¾

J. C. HERRIES.

CONSOLIDATED FUND of the United Kingdom, in the Year ended 5th January, in the same Year, including the Amount of EXCHEQUER BILLS ment and at the termination of the Year.

HEADS OF CHARGE.	£.	s.	d.
Dividends, Interest, Sinking Fund, and Management of the Public Funded Debt, 4 Quarters to 5th January 1826	32,733,516	19	11¼
Interest on Exchequer Bills issued upon the credit of the Consolidated Fund	14,611	11	2
Trustees for Naval and Military Pensions, per Act 3 Geo. 4, c. 51	2,214,260	0	0
Bank of England - - - - - 4 Geo. 4, c. 22	585,740	0	0
Civil List, 4 Quarters to 5th January 1826	1,057,000	0	0
Pensions charged by Acts of Parliament upon the Consolidated Fund, 4 Quarters to 5th January 1826	369,628	0	9¾
Salaries and Allowances - - - - - do. - - - -	83,587	13	10½
Officers of Courts of Justice - - - - - do. - - - -	122,006	12	1¼
Expenses of the Mint - - - - - - - do. - - - -	14,748	15	10
Bounties - - - - - - - - - do. - - - -	2,956	13	8
Miscellaneous - - - - - - - - do. - - - -	796,082	18	3
Do. - - Ireland - - - - - - do. - - - -	302,459	9	5½
Advances out of the Consolidated Fund in Ireland, for Public Works	533,258	7	2½
	38,829,857	2	2¾
Exchequer Bills issued to make good the charge of the Consolidated Fund, to 5th January 1825	1,550,031	5	6½
	40,379,888	7	9¼
SURPLUS of the CONSOLIDATED FUND	13,953,473	1	6¾
	54,333,361	9	4

J. C. HERRIES.

An Account of the State of the PUBLIC FUNDED DEBTS of GREAT BRITAIN

DEBT.

—	1. CAPITALS.			2. CAPITALS redeemed and transferred to the Commissioners.			3. CAPITALS UNREDEEMED.		
GREAT BRITAIN.	£.	s.	d.	£.	s.	d.	£.	s.	d.
Debt due to the South Sea Company - - } at £.3 per cent	3,662,784	8	6½	-	-	-	3,662,784	8	6½
Old South Sea Annuities - do.	4,574,870	2	7	434,000	0	0	4,140,870	2	7
New South Sea Annuities - do.	3,128,330	2	10	210,000	0	0	2,918,330	2	10
South Sea Annuities, 1751 - do.	707,600	0	0	46,500	0	0	661,100	0	0
Debt due to the Bank of England do.	14,686,800	0	0	-	-	-	14,686,800	0	0
Bank Annuities, created in 1826 do.	1,000,000	0	0	437	10	9	999,562	9	3
Consolidated Annuities - - do.	360,177,746	1	0¼	7,279,953	9	3	361,897,792	11	9¼
Reduced Annuities - - - do.	132,711,527	5	3	3,255,499	17	1	129,456,027	8	2
TOTAL at £.3 per cent	529,649,658	0	2¾	11,226,390	17	1	518,423,267	3	1¾
Annuities - - at 3½ per cent	15,117,637	8	10	380,338	0	0	14,737,299	8	10
Reduced Annuities - - do.	74,059,199	0	10	5,830,634	18	0	68,228,564	2	10
New 4 per cent Annuities	145,756,608	18	11	73,917	4	7	145,682,691	14	4
Great Britain	764,583,103	8	9¾	17,511,280	19	8	747,071,822	9	1¾
IN IRELAND.									
(in British Currency.)									
Irish Consolidated £.3 per cent Annuities	2,238,528	19	7	-	-	-	2,238,528	19	7
Irish Reduced £.3 per cent Annuities ...	1,031,425	14	9	-	-	-	1,031,425	14	9
£.3½ per cent Debentures and Stock ...	13,919,552	13	9	474,794	8	1	13,444,758	5	8
Reduced 3½ per cent Annuities	1,691,008	6	9	366,938	19	3	1,324,069	7	6
Debt due to the Bank of Ireland at £.4 per cent .... }	1,615,384	12	4	-	-	-	1,615,384	12	4
New £.4 per cent Annuities	10,386,893	10	10	-	-	-	10,368,893	10	10
Debt due to the Bank of Ireland at £5. per cent .... }	1,015,384	12	4	-	-	-	1,015,384	12	4
Ireland	31,898,178	10	4	841,733	7	4	31,056,445	3	0
TOTAL United Kingdom ...	796,481,281	19	1¾	18,353,014	7	0	778,128,267	12	1¾

—	STOCK.		
	£.	s.	d.
Note.—THE above Columns, 1 & 2, show the Totals of Debt for the United Kingdom, after deducting the Stock directed to be cancelled by various Acts of Parliament, and by redemption of Land Tax, amounting to	484,458,039	19	4

and IRELAND, and of the CHARGE thereupon at the 5th January, 1826, including 7,500,000*l.* raised in 1824.

CHARGE.

	——	IN GREAT BRITAIN.			IN IRELAND (In British Currency.)			TOTAL ANNUAL CHARGE.		
		£.	s.	d.	£.	s.	d.	£.	s.	d.
Sinking Fund.	The Annual Sum of 5,000,000*l.*, directed to be issued per 4 Geo. 4, c. 19, towards the reduction of the National Debt of the United Kingdom	4,840,000	0	0	160,000	0	0			
	Annual Interest on Stock standing in the names of the Commissioners	548,379	17	11¼	29,460	13	4¼			
	Long Annuities - - do	7,394	14	2½	—					
		5,395,774	12	1¾	189,460	13	4¼			
Due to the Public Creditor.	Annual Interest on Unredeemed Debt	24,283,810	18	1¾	1,145,867	19	3½			
	Long Annuities, expire 1860 ...	1,333,257	4	6	—					
	Life Annuities payable at the Exchequer, English	26,173	18	10¾	—					
	Do. - Irish	35,461	7	9	7,035	4	8			
		25,678,703	9	3½	1,152,903	3	11½			
Annual Interest on Stock transferred to the Commissioners for the Reduction of the National Debt, towards the Redemption of Land Tax under Schedules G. D. 1 & D. 2, 53 Geo. 3, c. 123		8,752	11	3½	—					
Management		276,053	15	8	774	2	3			
The Trustees of Military and Naval Pensions and Civil Superannuations		2,800,000	0	0	—					
		34,159,284	8	4¾	1,343,137	19	6¾	35,502,422	7	11½

ABSTRACT.

—	CAPITALS.			CAPITALS transferred to the Commissioners.			CAPITALS unredeemed.			ANNUAL CHARGE.											
										Due to the Public Creditor.			MANAGEMENT.			SINKING FUND.			TOTAL.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.
Great Britain.............. ...	764,583,103	8	9¾	17,511,280	19	8	747,071,822	9	1¾	25,687,456	0	7	276,053	15	8	5,395,774	12	1¾	(a)		
Ireland	31,898,178	10	4	841,733	7	4	31,056,445	3	0	1,152,903	3	11½	774	2	3	189,460	13	4¼	—		
	796,481,281	19	1¾	18,353,014	7	0	778,128,267	12	1¾	26,840,359	4	6½	276,827	17	11	5,585,235	5	6	—		
The Trustees of Military and Naval Pensions and Civil Superannuations										2,800,000	0	0	—			—			—		
										29,640,359	4	6½	276,827	17	11	5,585,235	5	6	35,502,422	7	11½

	£.	s.	d.
Non-assented £.4 per cents, vested in the Commissioners as £.3½ per cents, 5 Geo. 4, c. 45	6,149,245	17	7
Purchased with the Sinking Fund..	9,541,495	8	1
Transferred for Life Annuities	1,654,981	0	0
Stock unclaimed, 10 years and upwards	203,039	17	1
Purchased with Unclaimed Dividends	512,500	0	0
Transferred for Redemption of Land Tax, under Schedules C. D. 1, and D. 2	291,752	4	3
TOTAL transferred to the Commissioners, as above	18,353,014	7	0

(a) Chargeable with £.553,945. 1*s.* 6*d.* Life Annuities, per 48 Geo. 3, c. 142. Do. with the Sum of £.91,800 Annuities for a Term of Years to the Trustees of the Waterloo Fund, per 59 Geo. 3, c. 34, payable by sundry Half-yearly Instalments.

Also with the Payment of £.3,759,245 17*s.* 7*d.* (by Quarterly Instalments), being part of £ 6,149,245 17*s.* 7*d.* Non-assented £.4 per cents vested in the Commissioners as £.3½ per cents, per 5 Geo. 4, c. 45.

National Debt Office, 4th February 1826.

S. HIGHAM, Compt. Gen.

An Account of the UNFUNDED DEBT of GREAT BRITAIN and IRELAND, and of the Demands outstanding on the 5th January 1826.

—	PROVIDED.			UNPROVIDED.			TOTAL.		
	£.	*s.*	*d.*	*£.*	*s.*	*d.*	*£.*	*s.*	*d.*
Exchequer Bills, exclusive of £.3,756,300 issued for paying off £.4 per cents, the payment of which is charged on the Sinking Fund	-	-	-	30,771,650	0	0	30,771,650	0	0
Sums remaining unpaid, charged upon aids granted by Parliament	4,422,497	3	5¼	-	-	-	4,422,497	3	5¼
Advances made out of the Consolidated Fund in Ireland, towards the Supplies which are to be repaid to the Consolidated Fund, out of the Ways and Means in Great Britain	655,441	12	10	-	-	-	655,441	12	10
TOTAL Unfunded Debt, and Demands outstanding	5,077,938	16	3¼	30,771,650	0	0	35,849,588	16	3¼
Ways and Means	5,335,870	9	4¼	—			—		
SURPLUS Ways and Means	257,931	13	1	—			—		
Exchequer Bills to be issued to complete the Charge upon the Consolidated Fund	-	-	-	5,548,817	9	7	5,548,817	9	7

Whitehall, Treasury Chambers,
8th February 1826.

J. C. HERRIES.

An Account showing how the Monies given for the SERVICE of the United Kingdom of Great Britain and Ireland, for the Year 1825, have been disposed of; distinguished under their several Heads; to 5th January 1826.

SERVICES.	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
Navy	5,888,876	17	10	4,859,311	9	6
Ordnance	1,470,891	0	0	913,516	10	9¾
Forces	7,818,204	12	3	6,353,112	17	8½
For defraying the Charge of the Civil Establishments under-mentioned, for the year 1825; viz.						
Of the Bahama Islands	3,477	0	0	3,477	0	0
Of the Island of Dominica	600	0	0	—		
Of Upper Canada	8,229	0	0	4,114	10	0
Of Nova Scotia	9,660	0	0	4,830	0	0
Of New Brunswick	5,194	0	0	2,500	0	0
Of Prince Edward Island	3,010	10	0	1,500	0	0
Of Sierra Leone	16,513	0	0	10,000	0	0
Of Newfoundland	11,081	0	0	6,500	0	0
Of New South Wales	23,934	0	0	12,000	0	0
To defray the Charge of the Civil and Military Establishments of the African Forts	45,930	7	3	23,000	0	0
To defray the Charge of Civil Contingencies	260,000	0	0	260,000	0	0
To defray the Charge of the Royal Military College	13,189	9	2	8,786	18	2
To defray the Charge of the Military Asylum	24,834	14	2	12,000	0	0
To pay Interest on Exchequer Bills	820,000	0	0	820,000	0	0
To defray the Salaries and Allowances to the Officers of the Houses of Lords and Commons	27,630	9	0	24,770	0	3
To defray the Expenses of the House of Lords and Commons	16,572	0	0	16,572	0	0
To make good the Deficiency of the Fee Fund in the Departments of his Majesty's Treasury, Home Secretary of State, Foreign Secretary of State, Secretary of State for the Colonies, most honourable Privy Council, and the Committee of Privy Council for Trade	93,879	0	0	71,285	7	5
Contingent Expenses and Messengers Bills in the Departments of his Majesty's Treasury, Home Secretary of State, Foreign Secretary of State, Secretary of State for the Colonies, most honourable Privy Council, and the Committee of Privy Council for Trade	68,634	0	0	61,956	9	2
Salaries to certain Officers, and Expenses of the Court and Receipt of Exchequer	5,351	0	0	4,877	14	4
Salaries or Allowances granted to certain Professors in the Universities of Oxford and Cambridge, for reading Courses of Lectures	1,058	5	0	1,058	5	0
Salaries of the Commissioners of the Insolvent Debtors Court, of their Clerks, and the Contingent Expenses of their Office; and also the Expenses attending upon the Circuits	16,740	0	0	11,174	6	6
Salaries of the Officers and the Contingent Expenses of the Office for the Superintendence of Aliens, and also the Superannuations or retired Allowances to Officers formerly employed in that Service	4,872	0	0	4,872	0	0
Allowances to Protestant Dissenting Ministers in England, poor French Protestant Refugee Clergy, poor French Protestant Refugee Laity, and sundry small Charitable and other Allowances to the Poor of St. Martin's-in-the-Fields, and others	6,312	7	10	3,356	8	11
Foreign and other Secret Services	56,000	0	0	46,732	7	9

SERVICES—*continued.*	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
Expense of Printing Acts of Parliament, and Bills, Reports, and other Papers, for the two Houses of Parliament	99,169	0	0	45,497	17	5
Expenses incurred for Printing, by order of the Commissioners for carrying into execution the Measures recommended by the House of Commons respecting the Records of the Kingdom	10,371	0	0	3,919	14	4
Expense of Stationery, Printing, and Binding, for the several Public Departments of Government	96,240	0	0	48,930	0	0
Extraordinary Expenses of the Mint in the Gold Coinage	34,000	0	0	25,000	0	0
To make good the Loss upon the Irish Silver Tokens already recoined and to be re-coined	52,000	0	0	52,000	0	0
Extraordinary Expenses that may be incurred for Prosecutions, &c. relating to the Coin of this Kingdom	6,000	0	0	—		
Extraordinary Expenses in the Department of the Lord Chamberlain of his Majesty's Household, for Fittings and Furniture, for the two Houses of Parliament	4,800	0	0	1,117	2	10
Expense of Law Charges	12,000	0	0	10,000	0	0
Expense attending the confining, maintaining, and employing Convicts at home and at Bermuda	78,147	0	0	78,147	0	0
Bills drawn from abroad by his Majesty's Governors and others, for Expenses incurred under the Act for the Abolition of the Slave Trade, and in conformity with the Orders in Council for the Support, &c. of Captured Negroes, Free American Settlers, &c.	45,000	0	0	30,000	0	0
To defray the Amount of Bills drawn or to be drawn from New South Wales	120,000	0	0	—		
Expense of certain Colonial Services, formerly paid out of the Extraordinaries of the Army	2,442	10	0	2,442	10	0
Expenses of Works and Repairs of Public Buildings	40,000	0	0	17,138	17	6
Expense of Works at the Royal Harbour of George the Fourth, at Kingstown (formerly Dunleary)	45,000	0	0	25,000	0	0
The following SERVICES are directed to be paid, without any Fee or other Deduction whatsoever:						
British Museum, from the 25th Dec. 1824, to 25th March 1826	15,416	0	0	15,416	0	0
To make Compensation to the Commissioners appointed by several Acts for inquiring into the Collection and Management of the Revenue in Ireland, and the several Establishments connected therewith, and into certain other Revenue Departments in Great Britain, for their assiduity, care, and pains in the execution of the Trusts reposed in them by Parliament	5,200	0	0	5,200	0	0
Expense of the Penitentiary House at Milbank	20,000	0	0	5,000	0	0
Charge of the Allowances or Compensations granted or allowed as Retired Allowances or Superannuations, to Persons employed in Public Offices or Departments, or in the Public Service, according to the provisions of two Acts of his late and present Majesty	12,124	16	8	1,120	7	2
To enable his Majesty to grant relief to Toulonese and Corsican Emigrants, Dutch Naval Officers, St. Domingo Sufferers, and others who have heretofore received Allowances from his Majesty, and who, from Services performed or Losses sustained in the British Service, have special Claims upon his Majesty's justice and liberality	16,120	0	0	9,500	0	0
National Vaccine Establishment	3,000	0	0	3,000	0	0
Institution called "The Refuge for the Destitute"	5,000	0	0	5,000	0	0
For the Relief of the American Loyalists	6,300	0	0	4,000	0	0
Expense of confining and maintaining Criminal Lunatics	3,306	10	0	3,115	9	3
Salaries and Incidental Expenses of the Commissioners appointed on the part of his Majesty, under the Treaties with Spain, Portugal, and the Netherlands, for preventing the illegal Traffic in Slaves, and in pursuance of the Acts for carrying the said Treaties into effect	17,425	0	0	—		
Expenses of the Special Commissioners to Spanish America	30,000	0	0	30,000	0	0
Salaries of his Majesty's Consuls General, Consuls and Vice-consuls in Spanish America	35,000	0	0	12,383	6	8

SERVICES—*continued.*	SUMS Voted or Granted. £.	s.	d.	SUMS Paid. £.	s.	d.
Charges of the Society for the Propagation of the Gospel, in the Colonies of Upper and Lower Canada, Nova Scotia, New Brunswick, Newfoundland, Prince Edward Island, and the Cape of Good Hope	15,532	0	0	15,532	0	0
Expense of the Works at the College of Edinburgh	10,000	0	0	10,000	0	0
Expense of the Works at Port Patrick Harbour	15,990	0	0	15,990	0	0
Expense of Works at Donaghadee Harbour	19,130	0	0	19,130	0	0
Expense of Buildings at the British Museum	40,000	0	0	—		
For rebuilding the Office of his Majesty's Privy Council, and for completing the Office of Committee of Privy Council for Trade	18,000	0	0	—		
Charge and Repairs of Works to be executed at Windsor Castle	80,000	0	0	—		
To make Compensation in the year 1825, to the Commissioners appointed by his Majesty, for inquiring into the Nature and Extent of the Instruction afforded by the several Institutions in Ireland, established for the purpose of Education, for their assiduity, care, and pains in the execution of the trust reposed in them	8,000	0	0	7,000	0	0
Expenses of the Roads and Harbours of Holyhead and Howth	27,871	14	2	10,000	0	0
For facilitating Emigration from the South of Ireland to the Canadas	30,000	0	0	30,000	0	0
For the Purchase of Mr. Rich's Collection of Manuscripts, Antiquities and Coins, to be placed in the British Museum, for the Benefit of the Public	7,500	0	0	—		
To enable his Majesty to remunerate John Loudon M'Adam, for the Service which he has rendered by the Introduction of a valuable Improvement in the Method of Constructing the Public Roads of this Country	2,000	0	0	2,000	0	0
To defray that part of the Expense of the Repairs to the Cobb, at Lyme Regis, rendered necessary in consequence of the destructive Effects of the Storms in the Autumn of 1824, which it is proposed should be borne by the Public	13,000	0	0	—		
To indemnify certain Proprietors of Slaves in the United States of America, under the Treaty concluded at Ghent, on the 24th day of December 1814, and the Convention signed at St. Petersburgh on the 12th day of July 1822	200,000	0	0	—		
To pay off and discharge such of the Proprietors of Annuities granted by two Acts of the 37th and 42nd years of the reign of his late Majesty, as shall not deserve to receive £.3 per cent Annuities in lieu thereof, according to the Provisions of the said Acts	120,000	0	0	10,000	0	0
For defraying the CHARGE of the following Services in Ireland; which are directed to be paid Nett in British Currency.						
Expense of the Board of Works in Ireland	20,051	0	0	8,005	1	4
Expense of Printing, Stationery, and other Disbursements of the Chief and Under Secretaries Offices and Departments, and other Public Offices in Dublin Castle, &c.; and for Riding Charges and other Expenses of the Deputy Pursuivants and Messengers attending the said Offices; also Superannuated Allowances in the Chief Secretary's Offices	15,886	0	0	11,660	11	0¼
Expense of publishing Proclamations and other matters of a public nature, in the Dublin Gazette and other Newspapers in Ireland	6,500	0	0	5,060	18	8¾
Expense of Printing Statutes for the use of the Magistrates and Public Officers in Ireland	5,000	0	0	941	4	6½
Expense of Criminal Prosecutions and other Law Expenses in Ireland	30,185	0	0	30,185	0	0
Expense of Non-conforming, Seceding, and Protestant Dissenting Ministers in Ireland	13,894	18	3½	10,599	4	7¼
Salaries of the Lottery Officers in Ireland	1,072	12	4	849	4	7½
Civil contingencies in Ireland	15,000	0	0	13,596	10	10¾
Expense of the Establishment, and for the Maintenance of Inland Navigations in Ireland	4,681	0	0	4,681	0	0
In aid of Schools established by Voluntary Contributions	10,000	0	0	—		
Salaries and Expenses of the Commissioners for inquiring into the Duties and Fees of the Officers of Courts of Justice in Ireland	7,324	0	0	5,474	0	8¾

SERVICES—*continued.*	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
Salaries and Expenses of the Commissioners of Inquiry into the Land Revenue of the Crown in Ireland	1,671	0	0	851	10	9¼
Salaries and Expenses of the Record Commissioners in Ireland	3,500	0	0	1,976	18	5½
To pay Retired or Superannuation Allowances to Public Officers in Ireland	1,116	18	5	837	13	10¼
Expense of the Police and Watch Establishment of Dublin	26,000	0	0	26,000	0	0
For carrying on certain Public Works in Ireland	45,500	0	0	42,269	4	7½
Expense of the Commissioners of Wide Streets in Dublin	10,000	0	0	10,000	0	0
Expense of the Royal Irish Academy	300	0	0	300	0	0
Expense of the Linen Board of Ireland	19,938	9	2¾	19,938	9	2¾
Expense of maintaining and disposing of the Children now in the Protestant Charter Schools of Ireland	21,615	0	0	15,615	0	0
Expense of the Society for discountenancing Vice	7,106	0	0	7,106	0	0
Expense of the Society for promoting the Education of the Poor of Ireland	22,000	0	0	22,000	0	0
Expense of the Foundling Hospital at Dublin	34,478	0	0	34,478	0	0
Expense of the House of Industry, Hospitals, and Asylums for industrious Children in Dublin	19,750	0	0	15,000	0	0
Expense of the Richmond Lunatic Asylum in Dublin	5,640	0	0	5,640	0	0
Expense of the Hibernian Society for Soldiers Children	7,500	0	0	7,500	0	0
Expense of the Hibernian Marine Society	1,600	0	0	1,600	0	0
Expense of the Female Orphan House in Dublin	1,761	0	0	1,761	0	0
Expense of the Westmorland Lock Hospital in Dublin	2,734	0	0	2,734	0	0
Expense of the Lying-in Hospital in Dublin	2,885	0	0	2,885	0	0
Expense of Dr. Steevens's Hospital	1,663	0	0	1,663	0	0
Expense of the Fever Hospital and House of Recovery	3,692	0	0	3,692	0	0
Expense of the Hospital for Incurables at Dublin	400	0	0	400	0	0
Expense of the Establishment of the Roman Catholic Seminary in Ireland	8,928	0	0	8,928	0	0
Expense of the Cork Institution	1,900	0	0	1,900	0	0
Expense of the Dublin Society	7,000	0	0	7,000	0	0
Expense of the Farming Society of Ireland	2,500	0	0	2,500	0	0
Expense of the Commissioners of Charitable Donations and Bequests	722	0	0	722	0	0
	18,533,254	12	7¼	14,430,234	19	1¼
To pay off and discharge Exchequer Bills, and that the same be issued and applied towards paying off and discharging any Exchequer Bills charged on the Aids or Supplies of the years 1824 and 1825, remaining unpaid or unprovided for	30,000,000	0	0	27,432,200	0	0
To pay off and discharge Exchequer Bills issued pursuant to several Acts for carrying on Public Works and Fisheries, and for building additional Churches, outstanding and unprovided for	413,800	0	0			
	48,947,054	12	7¼	41,862,434	19	1¼

PAYMENTS FOR OTHER SERVICES,

Not being part of the Supplies granted for the Service of the Year.

	Sums Paid to 5th January 1826.			Estimated further Miscelleneous Payments.		
	£.	s.	d.	£.	s.	d.
Grosvenor Charles Bedford, Esq. on his Salary for additional trouble in preparing Exchequer Bills, pursuant to an Act 48 Geo. 3, c. 1	150	0	0	50	0	0
Expenses in the Office of the Commissioners for inquiring into the Collection and Management of the Revenue	4,000	0	0			
Expenses in the Office of the Commissioners for issuing Exchequer Bills, pursuant to Acts 57 Geo. 3, c. 34 & 124, and 3 Geo. 4, c. 86	2,000	0	0			
Expenses in the Office of the Commissioners for issuing Exchequer Bills for building additional Churches, per Act 58 Geo. 3, c. 45	3,000	0	0			
Expenses incurred in the passing of the Act 5 Geo. 4, c. 90, for building additional Churches in Scotland	1,600	0	0			
Expired Exchequer Annuities claimed	52	10	0			
Paid to the Bank of England, more than received from them, to make up their Balance on account of unclaimed Dividends	44,249	0	3	1,795	3	8
	55,051	10	3	1,845	3	8
				55,051	10	3
TOTAL Payments for Services not voted				56,896	13	11
Amount of Sums voted				48,947,054	12	7¼
TOTAL Sums voted, and Payments for Services not voted				49,003,051	6	6¼

WAYS AND MEANS

for answering the foregoing Services.

				£.	s.	d.
Duty on Sugar, and on Pensions, Offices, &c.				3,000,000	0	0
Trustees for the Payment of Naval and Military Pensions, and Civil Superannuations, per Act 3 Geo. 4, c. 51				4,470,370	0	0
East India Company, per Act 4 Geo. 4, c. 71				60,000	0	0
Sum to be brought from the Consolidated Fund, per Act 6 Geo. 4, c. 14				10,500,000	0	0
Surplus Ways and Means, per Act 6 Geo. 4, c. 134				439,166	9	10¾
Interest on Land Tax redeemed by Money				55	17	8¾
Repayments on account of Exchequer Bills issued pursuant to two Acts of the 57th year of his late Majesty, for carrying on Public Works and Fisheries in the United Kingdom				106,307	0	0
				18,575,899	7	7½
Exchequer Bills voted in Ways and Means; viz. 6 Geo. 4, c. 2	£.20,000,000	0	0			
6 Geo. 4, c. 70	10,500,000	0	0			
				30,500,000	0	0
TOTAL Ways and Means				49,075,899	7	7½
TOTAL Sums voted, and Payments for Services not voted				49,003,951	6	6¼
SURPLUS Ways and Means				71,948	1	1¼

Whitehall, Treasury Chambers,
8th February 1826.

J. C. HERRIES.

Mem.—THE Sum of £.5,000,000 was authorized by Act 6 Geo. 4, c. 1, to be applied out of the Ways and Means granted for the Services of the years 1821, 1822, 1823 and 1824, and the like Sum was granted out of the Ways and Means 1825, to discharge the like amount of Supplies for the Service of those years.

CLASS VII.—ARREARS AND BALANCES.

[This Head, which occupies 108 folio pages in the Finance Accounts, is here omitted, as not being of general utility.]

TRADE OF THE UNITED KINGDOM.

An Account of the VALUE of all IMPORTS into, and of all EXPORTS from, the United Kingdom of GREAT BRITAIN and IRELAND, during each of the Three Years ending the 5th January 1826 (calculated at the Official Rates of Valuation, and stated exclusive of the Trade between Great Britain and Ireland reciprocally).

YEARS ending 5th January.	VALUE OF IMPORTS into the United Kingdom, calculated at the Official Rates of Valuation.			VALUE OF EXPORTS FROM THE UNITED KINGDOM, calculated at the Official Rates of Valuation.									VALUE of the Produce and Manufactures of the United Kingdom Exported therefrom according to the Real and Declared Value thereof.		
				Produce and Manufactures of the United Kingdom.			Foreign and Colonial Merchandize.			TOTAL EXPORTS.					
	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.
1824....	35,798,707	5	0	43,804,372	18	1	8,603,904	9	1	52,408,277	7	2	35,458,048	13	6
1825....	37,552,935	7	1	48,735,551	2	5	10,204,785	6	4	58,940,336	8	9	38,396,300	17	3
1826....	44,137,482	6	0	47,166,020	2	11	9,169,494	8	3	56,335,514	11	2	38,877,388	7	6

FOREIGN TRADE OF GREAT BRITAIN.

An Account of the VALUE, as calculated at the Official Rates, of all IMPORTS into, and of all EXPORTS from, GREAT BRITAIN, during each of the Three Years ending the 5th January 1826; showing the Trade with Foreign Parts separately from the Trade with Ireland; and distinguishing the Amount of the Produce and Manufactures of the United Kingdom Exported, from the Value of Foreign and Colonial Merchandize Exported:—Also, stating the Amount of the Produce and Manufactures of the United Kingdom Exported from GREAT BRITAIN, according to the Real and Declared Value thereof.

TRADE OF GREAT BRITAIN WITH FOREIGN PARTS:

YEARS ending 5th January.	VALUE OF IMPORTS into Great Britain, calculated at the Official Rates of Valuation.			VALUE OF EXPORTS FROM GREAT BRITAIN, calculated at the Official Rates of Valuation.									VALUE of the Produce and Manufactures of the United Kingdom Exported from Great Britain, according to the Real and Declared Value thereof.		
				Produce and Manufactures of the United Kingdom.			Foreign and Colonial Merchandize.			TOTAL EXPORTS.					
	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.
1824....	34,591,264	9	0	43,144,466	1	6	8,588,995	18	0	51,733,461	19	6	34,691,124	8	10
1825....	36,146,448	0	0	48,030,036	11	4	10,188,596	9	2	58,218,633	0	6	37,573,918	0	0
1826....	42,589,678	4	2	46,468,281	7	2	9,155,305	5	0	55,623,586	12	2	38,083,773	4	7

Inspector General's Office, Custom House,
London, 22nd March 1826.

WILLIAM IRVING,
Inspector General of Imports and Exports.

TRADE OF GREAT BRITAIN—*continued.*

TRADE OF GREAT BRITAIN WITH IRELAND.

YEARS ending 5th January.	VALUE OF IMPORTS into Great Britain, calculated at the Official Rates of Valuation.			VALUE OF EXPORTS FROM GREAT BRITAIN, calculated at the Official Rates of Valuation.									VALUE of the Produce and Manufactures of the United Kingdom Exported from Great Britain, according to the Real and Declared Value thereof.		
				Produce and Manufactures of the United Kingdom.			Foreign and Colonial Merchandize.			TOTAL EXPORTS.					
	£.	*s.*	*d.*	*£.*	*s.*	*d.*	*£.*	*s.*	*d.*	*£.*	*s.*	*d.*	*£.*	*s.*	*d.*
1824....	5,821,036	1	11	3,141,825	11	0	1,359,376	6	5	4,501,201	17	5	3,488,591	0	8
1825....	5,591,161	5	0	3,688,570	6	4	1,318,069	0	8	5,006,639	7	0	4,261,113	11	10
1826....	6,544,573	5	9	3,837,336	11	7	1,437,708	17	10	5,275,045	9	5	4,962,751	8	10

TRADE OF GREAT BRITAIN WITH ALL PARTS:

YEARS ending 5th January.	VALUE OF IMPORTS into Great Britain, calculated at the Official Rates of Valuation.			VALUE OF EXPORTS FROM GREAT BRITAIN, calculated at the Official Rates of Valuation.									VALUE of the Produce and Manufactures of the United Kingdom Exported from Great Britain, according to the Real and Declared Value thereof.		
				Produce and Manufactures of the United Kingdom.			Foreign and Colonial Merchandize.			TOTAL EXPORTS.					
	£.	*s.*	*d.*	*£.*	*s.*	*d.*	*£.*	*s.*	*d.*	*£.*	*s.*	*d.*	*£.*	*s.*	*d.*
1824....	40,412,300	10	11	46,286,291	12	6	9,948,372	4	5	56,234,663	16	11	38,179,715	9	6
1825....	41,737,609	5	0	51,718,606	17	8	11,506,665	9	10	63,225,272	7	6	41,835,031	11	10
1826....	49,134,251	9	11	50,305,617	18	9	10,593,014	2	10	60,898,632	1	7	43,046,524	13	5

Inspector General's Office, Custom House,
London, 22nd March 1826.

WILLIAM IRVING,
Inspector General of Imports and Exports.

TRADE OF IRELAND.

An Account of the Value of all IMPORTS into, and of all EXPORTS from, Ireland; during each of the Three Years ending 5th January 1826 (calculated at the Official Rates of Valuation, and stated exclusive of the Trade with Great Britain); distinguishing the Amount of the Produce and Manufactures of the United Kingdom Exported, from the Value of Foreign and Colonial Merchandize Exported:—also stating the Amount of the Produce and Manufactures of the United Kingdom Exported from Ireland, according to the Real or Declared Value thereof.

—		VALUE of Imports into IRELAND, calculated at the Official Rates of Valuation.	VALUE OF EXPORTS FROM IRELAND, calculated at the Official Rates of Valuation.			VALUE of the Produce and Manufactures of the United Kingdom, Exported from Ireland, according to the Real or Declared Value thereof.
			Produce and Manufactures of the United Kingdom.	Foreign and Colonial Merchandize.	TOTAL EXPORTS.	
	YEARS ENDING	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
VALUE exclusive of the Trade with Great Britain.	5th January 1824	1,207,442 16 0¼	659,906 16 7¼	14,908 11 1½	674,815 7 8¾	766,924 4 8¼
	— 1825	1,406,487 7 1¼	705,514 11 0¾	16,188 17 2¼	721,703 8 3	822,382 17 3
	— 1826	1,547,804 1 10½	697,738 15 9	14,189 3 3	711,927 19 0	793,615 2 11½

Inspector General's Office, Custom House, London,
21st March, 1826.

WILLIAM IRVING,
Inspector General of the Imports and Exports.

NAVIGATION OF THE UNITED KINGDOM.

New Vessels Built.—An Account of the Number of Vessels, with the Amount of the Tonnage, that were built and registered in the several Ports of the British Empire, in the Years ending the 5th January 1824, 1825, and 1826, respectively.

—	In the Years ending the 5th January.					
	1824.		1825.		1826.	
	Vessels.	Tonnage.	Vessels.	Tonnage.	Vessels.	Tonnage.
United Kingdom	594	63,151	799	91,083	975	122,479
Isles Guernsey, Jersey, and Man	10	637	38	2,136	28	1,550
British Plantations	243	22,240	342	50,522	353	50,299
Total	847	86,028	1,179	143,741	1,356	174,328

Vessels Registered.—An Account of the Number of Vessels, with the Amount of their Tonnage and the Number of Men and Boys usually employed in Navigating the same, that belonged to the several Ports of the British Empire, on the 30th September in the Years 1823, 1824, and 31st Dec. 1825, respectively.

—	On 30th Sept. 1823.			On 30th Sept. 1824.			On 31st Dec. 1825.		
	Vessels.	Tons.	Men.	Vessels.	Tons.	Men,	Vessels.	Tons.	Men.
United Kingdom	20,573	2,275,995	147,058	20,803	2,321,953	149,742	20,087	2,298,836	146,703
Isles Guernsey, Jersey, and Man	469	26,872	3,680	477	26,361	3,806	508	28,505	3,773
British Plantations	3,500	203,893	14,736	3,496	211,273	15,089	3,579	214,875	15,059
Total	24,542	2,506,760	165,474	24,776	2,559,587	168,637	24,174	2,542,216	165,535

Inspector General's Office, Custom House,
London, 22nd March, 1826.

WILLIAM IRVING,
Inspector General of Imports and Exports.

NAVIGATION OF THE UNITED KINGDOM—*continued.*

VESSELS EMPLOYED IN THE FOREIGN TRADE.—An Account of the Number of VESSELS, with the Amount of their TONNAGE, and the Number of MEN and BOYS employed in Navigating the same (including their repeated Voyages) that entered Inwards and cleared Outwards, at the several Ports of the United Kingdom, from and to all Parts of the World (exclusive of the intercourse between GREAT BRITAIN and IRELAND respectively) during each of the Three Years ending 5th January 1826.

SHIPPING ENTERED INWARDS IN THE UNITED KINGDOM,

(Exclusive of the Intercourse between Great Britain and Ireland.)

Years ending 5th Jan.	BRITISH AND IRISH VESSELS.			FOREIGN VESSELS.			TOTAL.		
	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.
1824...	11,271	1,740,859	112,244	4,069	582,996	33,828	15,340	2,323,855	146,072
1825...	11,731	1,797,089	108,686	5,655	759,672	42,126	17,386	2,556,761	150,812
1826...	13,503	2,143,317	123,028	6,981	959,312	52,722	20,484	3,102,629	175,750

SHIPPING CLEARED OUTWARDS FROM THE UNITED KINGDOM,

(Exclusive of the Intercourse between Great Britain and Ireland.)

Years ending 5th Jan.	BRITISH AND IRISH VESSELS.			FOREIGN VESSELS.			TOTAL.		
	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.
1824...	9,666	1,546,976	95,596	3,437	563,571	29,323	13,103	2,110,547	124,919
1825...	10,156	1,657,270	103,085	5,025	746,729	38,782	15,181	2,403,999	141,867
1826...	10,843	1,793,842	109,537	6,085	906,066	47,535	16,928	2,699,908	157,072

Inspector General's Office, Custom House,
London, 22nd March, 1826.

WILLIAM IRVING,
Inspector General of Imports and Exports.

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